



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Mayor Danise Henriquez
Vice-Mayor Clayton Lopez
Commissioner Lissette Carey
Commissioner Monica Haskell
Commissioner Mary Lou Hoover
Commissioner Sam Kaufman
Commissioner Donald "Donie" Lee
Commissioner Clayton Lopez

Charter Officials

Todd Stoughton, Interim City Manager
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney

Thursday, October 10, 2024

9:00 AM

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.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of the presentation for the agenda at least 7 days before the meeting.

MORNING SESSION

CALL MEETING TO ORDER - 9:00 A.M.

ROLL CALL

Commissioner Hoover attended via media conferencing

Present 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

INVOCATION - Vice Mayor Lopez

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN COMMENTS

APPROVAL OF AGENDA

The agenda was approved as amended with only Commissioner Kaufman dissenting

PRESENTATIONS

- 1 Honoring Retiring Board Members
 - Jim Gilleran, Planning Board

 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. 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

- 2 *September 5, 2024 (Special Budget)

 Attachments: [Minutes](#)

 Passed

- 3 *September 12, 2024 (Regular)

 Attachments: [Minutes](#)

 Passed

- 4 *September 17, 2024 (Special Budget)

 Attachments: [Minutes](#)

 Passed

RESOLUTIONS

5 *Granting a Special Event Permit to Talia Santiago and Landon Jones' wedding reception at the Oldest House 322 Duval Street; Pursuant to Section 6-86 of the Code of Ordinances from 6:00 P.M. to 11:00 P.M. on Saturday, November 9, 2024.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Application](#)

Passed

Enactment No: Res 24-234

6 *Authorizing the Joint Interagency Task Force South (JIATFS) to hold the Annual Veterans Day Parade on Duval Street from 4:00 P.M. to 7:00 P.M. (set up starting at 2:00 P.M.) Monday, November 11, 2024; Authorizing the closure of certain streets or portions thereof for said parade from 4:00 P.M. to 7:00 P.M; Waiving all fees for required City services.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Application](#)

Passed

Enactment No: Res 24-235

7 *Sponsoring a Martin Luther King Jr. Birthday Celebration and March on Monday, January 20, 2025, between the hours of noon and 4:00 P.M. at Nelson English Park; Authorizing the closure of certain streets for the March from 5:00 P.M. to 6:00 P.M.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Application & Approvals](#)

Passed

Enactment No: Res 24-236

8 *Appointing George Beys to the Contractor's Examining Board.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Resume](#)

Passed

Enactment No: Res 24-237

9 *Appointing Samantha Jones to the Contractor's Examining Board.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Resume](#)

Passed

Enactment No: Res 24-238

10 *Appointing Thomas Valente to the Contractor's Examining Board.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
[Cover Memo](#)
[Resume](#)

Passed

Enactment No: Res 24-239

11 *Awarding the Bid of LPS Contracting, Inc. in response to Invitation to Bid ("ITB") #24-014 for Spencer's Boat Yard Seawall in the total amount of \$1,986,444.00; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Bid Tabulation](#)
[Res #23-079](#)
[Res #24-119](#)
[LPS Utilities Inc.Large File](#)
[Earth Tech Enterprises Inc Large File](#)
[Kelly Brothers, Inc Large File](#)
[Marino Construction Group Large File](#)
[Shoreline Foundation, Inc.Large File](#)
[Engineer's Estimate](#)
[Specifications](#)
[Plans Large File](#)
[ITB No. 24-014](#)

Passed

Enactment No: Res 24-240

12

*Approving the attached "Utility Agreement" between the City and Key West Resort Utilities Corp. (KWRU) and authorizing the City Manager to execute the Agreement to connect the John Jones Navigation Center to the KWRU sewer system; Authorizing the payment of associated administrative fees, capacity reservation fee, AFPI and related fees in the amount of \$117,453.20.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[JJNC Utility Agreement](#)
[Exhibit B](#)
[Exhibit C AFP1](#)
[Exhibit D](#)

Passed

Enactment No: Res 24-241

13

*Approving the attached "Agreement for Petroleum Clean Up Participation Program" (PCPP) through the Florida Department of Environmental Protection (FDEP), in an amount up to \$500,000.00 (\$400,000.00 plus up to \$100,000.00 Auxiliary Funding); Authorizing any necessary budget adjustments or transfers to accept the funding; 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.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[PCPP Agreement](#)
[Final Notice - FDEP](#)

Passed

Enactment No: Res 24-242

14

*Accepting and approving the response to Request for Proposals (RFP) No. 24-008 for Key West City-wide Comprehensive Safety Action Plan; Authorizing the City Manager to negotiate and execute a contract in conformance with the RFP documents with University of Florida Transportation Institute in an amount of \$329,736.00 upon the advice and consent of the City Attorney, or the second-ranked firm if contract terms are not reached with highest ranked firm; Authorizing any necessary budget adjustments or transfers.

Sponsors: Interim City Manager Stoughton

- Attachments:**
- [Resolution](#)
 - [Cover Memo](#)
 - [Bid Memo](#)
 - [Ranking Tabulation](#)
 - [Individual Ranking](#)
 - [Cambridge Systematics, Inc. Proposal](#)
 - [Choice Engineering Consultants, Inc. Proposal](#)
 - [Foresite Group, LLC Proposal](#)
 - [Public Works, LLC Proposal](#)
 - [Street Plans Collaborative, Inc. Proposal](#)
 - [Toole Design Group, LLC Proposal](#)
 - [University of Florida Transportation Institute Proposal](#)
 - [RFP# 24-008](#)
 - [Addendum #1](#)
 - [Addendum #2](#)
 - [Addendum #3](#)

Passed

Enactment No: Res 24-243

- 15 *Authorizing Purchase Exemptions for Cumulative Expenditures During Fiscal Year 24-25 to entities listed in Exhibit "A" in excess of \$50,000.00.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Exhibit A - Detailed Listing of Exemptions](#)
[Exhibit B - Blanket PO Acknowledgement](#)

Passed

Enactment No: Res 24-244

- 16 *Authorizing the purchase for the Fire Department of one (1) 2025 Pierce Initial Attack Mini Pumper Apparatus plus accessories from Ten-8 Fire and Safety, pursuant to Government Contract (FL Sheriffs' Association/FL Association of Counties Contract FSA 23-VEF17.0), pursuant to Section 2-797(3) of the Code of Ordinances in a total amount of \$297,384.05, (Inclusive of Trade-In); Authorizing Trade-In of one 2019 E-One Mini Pumper to Ten-8 Fire and Safety, valued at \$150,000, pursuant to Section 2-771.3(c) of the Code of Ordinances; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager or designee to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Proposal](#)
[FSA Contract](#)
[Specification List](#)
[Brindlee Appraisal](#)

Passed

Enactment No: Res 24-245

17

*Approving the attached amended version of "Amendment No. 2 to Agreement No. LPA0246" between the Florida Department of Environmental Protection (FDEP) and the City of Key West to increase funding by \$900,000.00 (FY 23-24) plus \$1,159,198.66 (FY 22-23) bringing the total funding amount to \$3,659,198.66, with other terms remaining identical to the "Amendment No. 2" approved in Resolution 24-159, for the construction of Key West Treatment Plant Solids Dewatering Upgrades Project; Authorizing the City Manager to execute the necessary documents; Authorizing any necessary budget amendments and transfers.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Amended Amendment 2](#)
[Resolution 22-007](#)
[Resolution 23-335](#)
[Placeholder Resolution 24-159](#)

Passed

Enactment No: Res 24-246

- 18 *Authorizing the purchase of ten (10) Axon Body Worn Cameras with related equipment and software, using a three-year payment plan, pursuant to Key West Code of Ordinances Sec. 2-797(1)(c) (Sole Source) and 2-797(4)(b) (Best Interests) from Axon Enterprise, Inc. in a total amount of \$92,412.80; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Axon BWC Bundle Quote](#)
 [Master Services and Purchasing Agreement v22](#)
 [Sole Source Justification Letter](#)

Passed

Enactment No: Res 24-247

- 19 *Approving the attached City Marina 13-Month Tenancy Dockage Agreement for Kingfish and Wahoo Piers; Approving the 13-month tenancy tenant slip rental rates; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
 [Cover Memo](#)
 [13-Month Tenancy Lease Agreement](#)
 [Occupied Transient Slips](#)

Postponed to November 14, 2024

20

*Approving the attached "Amendment to Lease" with SBY Key West, LLC (Assignee/Guarantor) for the (Upland) property located at 701 Palm Avenue, as described in the Lease approved in Resolution 16-343 and assigned in Resolution 21-150; Authorizing the City Manager or designee to execute any necessary documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[First Amendment to Lease](#)
[Lease and Assignment Documents](#)
[Loss Worksheet](#)
[Sun Biz - Corporate Status](#)

Passed

Enactment No: Res 24-248

21

*Approving attached "Amendment to Lease Agreement" between the City of Key West ("City") and Key West Players, Inc. for a one-year lease extension for the Waterfront Playhouse; Authorizing necessary budget amendments or adjustments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[First Amendment to Lease](#)
[14-069 Current Lease](#)
[Sun Biz - Corporate Status](#)

Passed

Enactment No: Res 24-249

22

*Authorizing the repair of a 2018 Gillig Low Floor Hybrid Diesel Bus, known as Bus 829, on a Sole Source Basis, and in the Best Interests of the City, pursuant to Section 2-797(1) and (4) of the Code of Ordinances by Stewart and Stevenson FDDA LLC, dba Florida Detroit Diesel Allison; Approving necessary budget transfers or adjustments, including the use of PGTA Grant #G3144 funding; Authorizing the City Manager to execute necessary documents.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Quote](#)
[PTGA #G3144](#)
[Resolution #24-174](#)

Passed

Enactment No: Res 24-250

23

*Approving the attached "Intergovernmental Support Agreement Between Naval Air Station Key West and City of Key West for Support Services" (IGSA), Authorizing the City Manager or designee to execute the Agreement on behalf of the City, upon the advice and consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[IGSA Partnership Packet](#)

Postponed to November 14, 2024

- 24 *Approving the attached "Task Order 07-24" for Rehabilitation of Pump Station R" between the City of Key West and Jacobs Engineering Group, Inc. in an amount not to exceed \$296,331.00 to provide engineering design, permitting, bid and construction phase services; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Task Order](#)
[Lift Station Plan](#)
[Jacobs Engineering Group Agreement](#)
[Resolution 23-029](#)

Passed

Enactment No: Res 24-251

- 25 *Approving the partial rescission of Resolution 23-241 City Marina Liveaboard Pricing Structure; Rescind the questionnaire; Rescind the Revised Lease Agreement and provide new Lease Agreement; Rescind the date of enactment and provide new date; Rescind approved pricing structure and approve a new single-rate pricing structure; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Liveaboard Workshop Brief](#)
[2024 Liveaboard Lease Agreement](#)
[Resolution #23-241 LAB Pricing Structure](#)

Postponed Indefinitely

26 *Approving the attached "Interlocal Agreement Between the District School Board of Monroe County, Florida and the City of Key West" for joint use of Poinciana Elementary School, Horace O'Bryant School, Gerald Adams Elementary School, and the Hockey Rink at the Key West High School sports and recreational facilities.

Sponsors: Commissioner Carey and Commissioner Kaufman

Attachments: [Resolution](#)
 [Cover Memo](#)
 [Proposed Agreement](#)
 [PRAB Resolution 24-03](#)
 [Current ILA Agreement](#)

 Postponed to November 14, 2024

Approval of the Consent Agenda

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

PROCLAMATIONS - Withdrawn

27 Fire Prevention Week

Sponsors: Interim City Manager Stoughton

Attachments: [Proclamation](#)
 [Cover Memo](#)

 Withdrawn

PRESENTATIONS - Cont'd - Withdrawn

28 Employee Services Awards - Bridget Flores, Human Resources Director

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

 Withdrawn

29 Employee of the Quarter - 4th Quarter FY24 - Bridget Flores, Human Resources Director

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Withdrawn

30 Key West Ambassadors Academy Class #41 Graduation

Sponsors: Interim City Manager Stoughton

Attachments: [Cover Memo](#)

Withdrawn

31 Public-Private Partnership for City Projects - John O'Grady, Fortress Secured

Sponsors: Interim City Manager Stoughton

Attachments: [Presentation](#)

Withdrawn

RESOLUTIONS

32 Naming Clayton Lopez as Vice Mayor, then Lissette Carey as Vice Mayor, to replace Commissioner Lopez upon the swearing in of a new Commissioner for District 6.

Sponsors: Mayor Henriquez

Attachments: [Resolution](#)
[Commissioner Kaufman Handout](#)

A motion was made by Commissioner Lee, seconded by Commissioner Carey, that the Resolution be Passed. The motion carried by the following vote:

No: 1 - Commissioner Kaufman

Yes: 6 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-252

33

Requesting that the U.S. Navy and the federal delegation for Key West consider development and construction of new housing on the vacant western parcel of land at Sigsbee Park for use by military members and/or civilian employees; Authorizing the City Manager or designee to work with Navy personnel and the federal delegation to identify funding, determine criteria, and develop policies and procedures to provide affordable housing at Sigsbee Park.

Sponsors: Commissioner Lee

Attachments: [Resolution](#)
[Cover Memo](#)
[Res. 16-015](#)
[Miles Article](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-253

34

Requesting that the Florida Department of Transportation (FDOT) work with City staff to allow the placement of a sign with a 'Welcome to Key West' message on the north side of US 1, and a 'Come Back Soon' message on the south side of US 1 on FDOT Right of Way; Authorizing the City Clerk to provide a certified copy of this Resolution to FDOT.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[FDOT Email](#)
[Change of Location Request Diagram](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-254

35

Approving the "Poinciana Gardens Funding Interlocal Agreement" between Monroe County (County), the City of Key West (City) and the Housing Authority of the City of Key West (KWA) for FY 2025; Authorizing any necessary budget transfers or adjustments.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Poinciana Gardens Funding Interlocal Agreement](#)
[Resolution No 13-256](#)
[Resolution No 20-031](#)
[Resolution No 21-008](#)
[Resoultion No 21-174](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-255

36

Acknowledging and accepting for consideration the recommendations from the Sustainability Advisory Board set forth in "SAB Resolution 24-03".

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[SAB 24-03](#)
[LTC - Reduced Free Parking 8 22 24](#)

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

No: 3 - Commissioner Carey, Commissioner Kaufman and Vice Mayor Lopez

Yes: 4 - Commissioner Haskell, Commissioner Hoover, Commissioner Lee and Mayor Henriquez

Enactment No: Res 24-256

37

Approving the attached Lease Agreement between the City and the Frederick Douglass School Black Educators' Memorial Project, Inc., a Florida not for profit corporation, for use of a portion of 103 Olivia Street as a museum, pursuant to Section 2-941(c) of the Code of Ordinances, upon consent of the City Attorney.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Black History Museum Lease](#)
[22-197 Designating in Concept a Space for Black Educators Museum](#)
[*Large File* Bahama Village Museum Proposal](#)
[Advertisement](#)
[Sun Biz - Corporate Status](#)

A motion was made by Vice Mayor Lopez, seconded by Commissioner Carey, that the Resolution be Passed with the following changes made to the Use Agreement:

1. Include a re-opener at the end that the Commission will consider an extended term if User shows that it would be necessary in order to secure a grant.
2. Add an option to renew for an additional 2 years at the end of the initial term.
3. Add a statement that the User shall not charge admission but shall be allowed to request donations.

The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-257

38

Adopting amended rules of procedure for City Commission meetings.

Sponsors: Mayor Henriquez and Commissioner Lee

Attachments: [Resolution](#)
[Cover Memo](#)

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

No: 1 - Commissioner Lee

Yes: 6 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Vice Mayor Lopez and Mayor Henriquez

39

Approving the attached 2025 Meeting Schedule for the Key West City Commission.

Sponsors: Interim City Manager Stoughton

- Attachments:** [Resolution](#)
[Option A 1st Tuesday](#)
[Option B 3rd Tuesday](#)
[Option C 2nd Thursday](#)

A motion was made by Vice Mayor Lopez, seconded by Commissioner Haskell, that the Resolution be Postponed. The motion carried by the following vote:

No: 1 - Commissioner Lee

Yes: 6 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Vice Mayor Lopez and Mayor Henriquez

DISCUSSION

Meeting went into Recess - 10:51 A.M.

Meeting Reconvened - 11:01 A.M.

40

City Manager Screening Committee
- Procedure and Timeline
- Interview Process

Sponsors: Commissioner Carey

Discussed

41

Commercial Development and Zoning in Progress

Sponsors: Commissioner Lee

Discussed

CITY MANAGER'S REPORT

42

Department Reports

- Attachments:** [September 2024 Building](#)
[September 2024 Code Compliance](#)
[September 2024 Community Services](#)
[September 2024 Engineering](#)
[September 2024 Fire](#)
[September 2024 Housing](#)
[September 2024 Human Resources](#)
[September 2024 IT](#)
[September 2024 Parking](#)
[September 2024 Planning](#)
[September 2024 Police](#)
[September 2024 Port and Marine Services](#)
[September 2024 Property Management](#)
[September 2024 Public Information](#)
[September 2024 Transit](#)
[September 2024 Utilities](#)
[September 2024 Finance](#)

Received and Filed

A motion was made by Commissioner Lopez, seconded by Commissioner Carey, to Table the City Attorney's Report to the Evening Session. The motion passed unanimously.

CITY CLERK'S REPORT

COMMISSION COMMENTS

RECESS - 12:48 P.M.

EVENING SESSION

RECONVENE - CALL TO ORDER - 5:00 P.M.

ROLL CALL

Commissioner Hoover attended via media conferencing

Present 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

INVOCATION - Rabbi Zucker, Chabad Jewish Center of Key West

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

APPROVAL OF AGENDA

The agenda was unanimously approved as amended to include the add-on Proclamation immediately followed by the City Attorney's Report

PROCLAMATION - Kenny Miller Day

CITY ATTORNEY'S REPORT

RESOLUTIONS

43

Authorizing the City of Key West to enter into the attached "Revocable License Agreement for Non-Permanent Use of City Property" with the Key West Film Society (DBA Tropic Cinema, Inc.), a 501(c)3 corporation, to allow the operation of a free outdoor "Movies Under the Stars" program on Eaton Street between Duval and Whitehead immediately adjacent to 416 Eaton Street on specific dates set forth in the Agreement, upon additional Terms and Conditions contained in the Agreement (November 16, 2024-April 26, 2025).

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[License Agreement](#)
[EXHIBIT A](#)
[EXHIBIT B](#)
[Sun Biz - Corporate Status](#)

A motion was made by Commissioner Carey, seconded by Commissioner Haskell, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-258

44

Easement - 927 Catherine Street (RE# 00031710-000000) - Approving an Easement of approximately two hundred and fifty-eight (258) square feet at a property located at 927 Catherine Street, in order to maintain the home and porch that encroach onto Catherine Street in the Historic Medium Density Residential (HMDR) Zoning District, pursuant to Section 2-938(B)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Easement Agreement](#)
[Planning Package](#)
[Utilities Comments](#)
[Engineering Comments](#)
[Keys Energy Comments](#)
[Urban Forestry Comments](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-259

45

Minor Development Plan 1125 Duval Street (RE# 00027870-000000) - Approving a Minor Development Plan to allow for the development of more than 500 square feet of additional gross floor area, and associated site plan modifications including interior renovations, landscape improvements, and the relocation of restaurant seating areas and four (4) hotel units. The application also involves several landscape waivers including a reduction of the minimum required open space ratio of sixteen percent (16%) instead of the minimum required twenty percent (20%), a minimum landscaped area of sixteen percent (16%) instead of the minimum required twenty percent (20%), an increase in the maximum percentage of palm trees to allow thirty six percent (36%) instead of the maximum permitted twenty five percent (25%), a reduction in the number of interior trees to allow two (2) interior trees instead of the minimum required four (4) trees, a reduction in the landscape requirement along a street frontage to reduce both the number of plants and width of the planting area, and buffer yard waiver for the northwest buffer area for a property located within the Historic Commercial Core - 3 (HRCC-3) District pursuant to Sections 108-91 (A)(1)(b), 108-346, 108-347, 108-412, 108-413, 108-416, 108-481, and 90-395, of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Sponsors: Interim City Manager Stoughton

- Attachments:**
- [Resolution](#)
 - [Cover Memo](#)
 - [PB RES 2024-028 1125 Duval St MIDP](#)
 - [Staff Report](#)
 - [Final Landscape Approval](#)
 - [Planning Package](#)
 - [Noticing Package](#)
 - [Applicant's Supplemental Memorandum](#)
 - [Public Comment - Randall Clayton](#)
 - [Signed COA and Decision Letter Approved](#)
 - [Concept Approval 5-8-24](#)
 - [Keys Energy Comments](#)
 - [Multimodal Comments](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-260

46

**Major Development Plan and Landscape Waiver - 711
Eisenhower Drive (RE# 00023130-000000,
00072082-002900, & 00072070-000000) -**

Granting/Denying a request for a Major Development Plan and Landscape Waiver to allow for the redevelopment of a marina located at 711 Eisenhower Drive (RE# 00023130-000000, 00072082-002900, & 00072070-000000), including the demolition of existing dry storage boat racks and outbuildings, the construction of new boat racks and a restroom facility, seawall repair, maintenance dredging, and a landscape waiver including a reduction of minimum landscape buffer requirements from 30 feet to 9 feet for property located in the General Commercial, Conservation, and Public and Semi-Public Services Zoning Districts, pursuant to Sections 108-91, 108-517 and 122-32 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[PB RES 2024-032](#)
[Staff Report](#)
[Planning Package](#)
[Site Plan](#)
[Seawall and Dredging Plans](#)
[Proposed Utility Easement](#)
[8/15/2024 Noticing Package](#)
[7/18/2024 Noticing Package](#)
[Final Landscape Plan Approval](#)
[Conceptual Landscape Plan Approval](#)
[Utilities Comments](#)
[Keys Energy Comments](#)

A motion was made by Commissioner Lee, seconded by Commissioner Haskell, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Res 24-261

ORDINANCES – FIRST READING

47

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles, Article IV, Parking, Stopping and Standing, Division 3, Parking Lot Rates" by amending Sections 70-186 through 70-190 to adjust parking rates throughout the City; Providing for severability; Providing for repeal of inconsistent provisions.

Sponsors: Interim City Manager Stoughton

Attachments: [Resolution](#)
[Cover Memo](#)
[Business Impact Estimate](#)

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

No: 3 - Commissioner Carey, Commissioner Kaufman and Vice Mayor Lopez

Yes: 4 - Commissioner Haskell, Commissioner Hoover, Commissioner Lee and Mayor Henriquez

48

Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida, to amend Chapter 86 of the Land Development Regulations entitled “General Provisions”, Section 86-9 entitled “Definition of Terms” in order to amend the definition of the terms “Accessory Structure”, “Building Coverage”, “Open Space (green area)”, and “Principal Structure”; To rename and amend Chapter 122 entitled “Zoning”, Article V entitled “Supplementary District Regulations”, Division 4 entitled “Accessory Uses and Structures” to be titled “Accessory Uses, Accessory Structures, and Other Structures”, Section 122-1181 entitled “Permitted and Restricted Uses” to maintain the required 5’ setback for decking 30” or greater in height; And to add Section 122-1187 entitled “Covered Patios, Gazebos, and Other Roofed Structures” to maintain rear and side yard setback requirements for the construction of non-principal roofed structures; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-012 Text Amendment Accessory Structure Definition](#)
[Staff Report](#)

Withdrawn

49

Text Amendment of the Land Development

Regulations - An Ordinance of the City of Key West, Florida amending Chapter 122 of the Code of Ordinances, entitled "Zoning" by Article V, entitled "Supplementary District Regulations", Division 3, entitled "Area Requirements", Section 122-1145, entitled "Required Yards," to amend yard coverage and nonconformity regulations to reduce regulatory barriers to the elevation of dwelling units; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-016 Text Amendment Home Elevations](#)
[Staff Report](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

50

Text Amendment of the Land Development

Regulations - An Ordinance of the City of Key West, Florida, to amend Chapter 122, entitled "Zoning," Article II, entitled "Nonconformities," Section 122-26, entitled "Definitions," Section 122-27, entitled "Intent," Section 122-28, entitled "Replacement or Reconstruction," and Section 122-29, entitled "Repairs and Maintenance," Section 122-30 entitled "Abandonment of Nonconforming Use," Section 122-31 entitled "Noncomplying Lots or Building Sites of Record," Section 122-32 entitled "Additional Regulations," Section 122-33 entitled "Eminent Domain/Public Purpose Waiver," and Section 122-34 entitled "Status of Parcels During or After Acquisition by Eminent Domain or Voluntary Conveyance for Public Transportation or Other Public Purpose"; To provide for a definition the term "Reconstruction" Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB RES 2024-017 Text Amendment Nonconformities](#)
[Staff Report](#)
[Chapter 122, Article II - Nonconformities](#)

A motion was made by Vice Mayor Lopez, seconded by Commissioner Carey, that the Ordinance be Postponed to the February City Commission meeting.

The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

51

An Ordinance of the City of Key West, Florida, to amend Chapter 2 entitled "Administration", Article VII entitled "Financial Matters", by creating Division 4, entitled "Bond Expenditures", Section 2-801 entitled "Expenditure of Bond Funds" to require a supermajority vote for expenditure of bond funds; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Ramsingh

Attachments: [Ordinance](#)
[Cover Memo](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Ord 24-26

52

An Ordinance of the City of Key West, Florida, amending Chapter 54 of the Code of Ordinances, entitled "Planning" by amending Article III - Impact Fees, Divisions 2 through 4, to amend the City's Impact Fee Ordinance to adjust fees and to conform with Florida Statutes Ch 163, Section 31801, as amended; By adding Division 5, Sections 54-171 through 51-182 to create a Stormwater Impact Fee; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[Chapter 163 Section 31801 - 2023 Florida Statutes](#)
[Utility Impact Fee Report 2023 LARGE FILE](#)
[Impact Fee Update PPT - 9-9-24](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Ord 24-27

53

An Ordinance of the City of Key West, Florida, amending Chapter 56 of the Code of Ordinances, entitled "Solid Waste" by amending Section 58-66, to amend the dumping fee or tipping fee for Key West residents, commercial establishments and licensed business, and to add fees for recycling and tire disposal; Amending Section 58-67 to provide that fees may be annually adjusted administratively by a percentage up to or equal to the annual CPI; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Ord 24-28

54

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances, entitled "Traffic and Vehicles", by amending Article XIII entitled "Mobile Billboards" and by amending Section 70-803 entitled "Definitions"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)

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

Yes: 7 - Commissioner Carey, Commissioner Haskell, Commissioner Hoover, Commissioner Kaufman, Commissioner Lee, Vice Mayor Lopez and Mayor Henriquez

Enactment No: Ord 24-29

55

Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida, to amend Chapter 122 of the Land Development Regulations, entitled "Zoning", Article V entitled "Supplementary District Regulations, Division 3 entitled "Area Requirements", Section 122-1143 entitled, "Impervious Surface Requirements for all Uses" to allow seventy-five percent (75%) of the water surface area of an uncovered water-retaining feature on residential properties to be considered a pervious surface, subject to freeboard requirements; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Manager Stoughton

Attachments: [Ordinance](#)
[Cover Memo](#)
[PB Resolution 2024-006](#)
[Staff Report](#)

Withdrawn

ADJOURNMENT - 6:16 P.M.