

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 Keri O'Brien, City Clerk Ronald Ramsingh, City Attorney

Thursday, November 9, 2023

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

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

INVOCATION - Father John Baker, Basilica of St. Mary Star of the Sea

PLEDGE OF ALLEGIANCE TO THE FLAG - Steve McAlearney, Port/Marine Services Director

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved with the added Commendations added to the evening session.

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

1 *October 12, 2023

Attachments: Minutes

RESOLUTIONS

*Granting a Special Event Permit Pursuant to Section 6-86 of the Code of Ordinances to the Key West Film Festival at the Southernmost Mansion - 1400 Duval Street on

Thursday, November 16, 2023, from 8:00 P.M. to 11:00

P.M.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

Application & Notices

Passed

*Authorizing the Key West Art Center, Inc. to conduct the Key West Art & Craft Festival on Saturday, February 24th & 25, 2024, (Set up Friday, February 23, 2024), during the hours of 10:00 A.M. to 5:00 P.M. at the Truman Waterfront Quay Wall; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo

Application & Approvals

Passed

Enactment No: Res 23-297

4

*Confirming Kendal Lyn Harden as an Assistant City Attorney pursuant to the Key West City Charter.

Sponsors: City Attorney Ramsingh

<u>Attachments:</u> Resolution

Resume

Passed

Enactment No: Res 23-298

5

*Approving the proposed Settlement Agreement between the Clty of Key West and Kathleen Ruth and James Ruth in Circuit Court Case Number 2022-CA-489-K in the amount of \$203,566.67; Authorizing the City Manager to execute all Settlement documents upon the advice and consent of the City Attorney;

Sponsors: City Attorney Ramsingh

<u>Attachments:</u> Resolution

Cover Memo

Passed

*Approving the proposed Settlement Agreement between the City of Key West and Barry Kriegel in Circuit Court Case Number 2020-CA-707-K in the amount of \$85,000.00; Authorizing the City Manager to execute all settlement documents upon the advice and consent of the City Attorney.

Sponsors: City Attorney Ramsingh

<u>Attachments:</u> Resolution

Cover Memo

Passed

Enactment No: Res 23-300

7

*Approving the purchase and installation of artificial turf at Dewitt Roberts Softball Field by Burke Construction, in an amount not to exceed \$853,000.00, pursuant to Section 2-797(4)(b) of the Code of Ordinances, Best Interests of the City; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo
Rendering
Burke Quote

Turf of America Quote

Ellis Turf Quote

Passed

*Authorizing the purchase of one (1) Tymco Model 600 Street Sweeper with related accessories in an amount not to exceed \$422,834.00 from Container Systems & Equipment Co., Inc., through piggybacking on the Florida Sheriff's Association Contract No. FSA23-EQU21.0, 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 Childress

Attachments: Resolution

Cover Memo

Quote

Sheriffs Contract

Passed

Enactment No: Res 23-302

9

*Approving Change Order 4 to Charley Toppino & Sons, Inc. in a total amount not to exceed \$150,686.90 for the United Street Improvements Project; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice of the City Attorney.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo
Resolution 23-057

FKAA Reimbursement to City

Passed

*Partially rescinding Resolution 23-230 with regard to the issuance of a Task Order to Charley Toppino & Sons, Inc. in a total amount not to exceed \$277,905.63 for the Truman Waterfront Grass Lot Gravel Resurfacing using the City's General Utilities Contract; Approving a Task Order under the City's 2022 Right-of-Way Improvements Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$277,905.63 for the Truman Waterfront Grass Lot Gravel Resurfacing; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

Resolution 23-230
Resolution 22-289
Resolution 22-195
Executed Work Order

Passed

Enactment No: Res 23-304

11

*Partially rescinding Resolution 23-087; Establishing an Auditor Selection Committee, in accordance with Section 218.391, Florida Statutes; Providing for committee purpose, membership, and duties.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

Resolution 23-087

Passed

*Approving the attached Order Form Amendment to the Agreement with Fifth Asset, Inc. DBA Debtbook, for a Debt, Lease, and Software Subscription Management Software for an additional three (3) year term for an amount not to exceed \$60,300.00 as described in the attached Renewal Quote from Fifth Asset, Inc. pursuant to Section 2-797(4)(b) Exempt Contractual Services, Best Interest of the City; Authorizing the City Manager to execute any necessary documents, upon consent of the City Attorney; Authorizing any necessary budget amendments.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

Order Form Amendment

Existing Agreement

Renewal Quote

Passed

Enactment No: Res 23-306

13

*Authorizing the purchase of two (2) 2024 Ford F-150 pick up trucks with accessories for a total amount of \$119,888.43 from Duval Ford LLC, through piggybacking on the Bradford County Sheriff's Office Contract No. 22-27-1.0, 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.

<u>Sponsors:</u> City Manager Childress

Attachments: Resolution

Cover Memo

<u>Duval Ford Proposal</u> BCSO Contract 22-27-1.0

Passed

*Authorizing an FY2023-24 budget amendment pursuant to Section 2-739(b) of the Code of Ordinances, by approving a transfer of funds from the Affordable Housing Trust Funds Reserve Account No. 104-5401-554-98-03 in the amount of \$250,000 to the Community Development Office/Move In Assistance Program Expenditure Account No. 120-5401-554-8301 to fund the Move-In Assistance Program for FY 23-24; Authorizing the City Manager to execute all documents consistent therewith upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

Move In Assistance Program

Passed

*Authorizing pursuant to Section 2-797(3) and (4)(b) of the Code of Ordinances, the purchase of 32 HP Elite Mini 800 G9 Desktop Computers (\$28,480.00), 23 HP Elitebook 860 G10 Notebook Computers (\$28,411.67), 1 HP Elitebook 830 G10 13.3 Touchscreen Notebook (\$1,299.00) plus related 3-year Service Carepacks (\$1,752.00) from MRA International in an amount not to exceed \$59,942.67 through FL Department of Management Services Miscellaneous IT Equipment (FL-NASPO Valuepoint 43211500-WSCA-15-ACS) Agreement; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo
MRA Proposal

Participating Addendum

HP Inc - Fully Executed PA

Addtional Information

Passed

*Authorizing pursuant to Section 2-797(3) and (4)(b) of the Code of Ordinances, the procurement of Audio/Visual/Information Technology upgrades to City Commission Chambers from AVI-SPL LLC in an amount not to exceed \$133,970.24 through the Interlocal Purchasing System - A Department of Education Service Center Region 8 - A Texas Governmental Entity Contract RFP 200904 ("TIPS"); Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo
AVI Proposal
Addendum

Terms and Conditions

Terms and Conditions-Redline-initialed.pdf

Service and Support

EDGAR Compliance Document 2020

Vendor Profile

Passed

Enactment No: Res 23-310

17

*Approve and authorize staff to apply for and accept grant funding from the Florida Department of Transportation, Transportation Alternatives Program.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo

Grant Evaluation Forms

Passed

*Accepting a public art donation form Jeff Sundheim of an original sculpture by Jeff Sundheim and community participants titled "Eagle", to be installed at a location to be determined at the Truman Waterfront Park; Authorizing an expenditure not to exceed \$10,000.00 from Art in Public Places funds for installation and transportation of the sculpture if necessary.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo
Gift Agreement

SUNDHEIM Proposed Sculpture - Truman Waterfront Park June 2023

Artist Rendering

CKW Parks & Rec Meeting Minutes July 2023

AIPP Meeting Minutes 6.21.23

Jeff Sundheim artist statement June 2023

Copy of Truman Waterfront Park Master Arts Plan - Executive

Summary - FINAL - Feb 2019

Passed

Enactment No: Res 23-312

19

*Authorizing the Key West Police Department to apply for and accept the attached Florida Department of Transportation (FDOT) Subgrant for Motorcycle Safety (Project #MC-2024-00067/FDOT Contract #G2057) in the amount of \$75,000.00; Authorizing necessary budget amendments and transfers; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

FDOT MC Subgrant Agreement

Passed

*Approving a Task Order to CH2M Hill in an amount not to exceed \$24,201.77 for a Berthing Improvement Evaluation for the Mallory T-Pier; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo
Task Order
Jacobs Contract

Res 23-029 Gen Eng Svcs

Res 21-006 Recognize CH2M-Jacobs Merger

* Large File* Res 18-196 T-Pier Modernization Study
Res 21-139 Amend 1 Reduce Ship Length to 664

Res 23-242 Cond Consent Agmt wOKR

Postponed to December 14, 2023

21

*Approving an Environmental Permitting Task Order Charter Boat Row Seawall Replacement to Tetra Tech, Inc. \$160,952.00, the of under the amount City's Environmental Engineering Services Contract; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo Proposal

Seawall Assessment
Res #20-039 Contract

Res #23-058 Contract Extension

Passed

*Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Fiscal Year (SFY) 2024 Transit Corridor Program for the transit bus service, in the City of Key West (PTGA #G2P02 / FM #453638-1-84-01) in a reimbursement amount of up to \$450,000 in operating assistance for Duval Loop.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo

Public Transportation Grant Agreement

Resolution 23-113

Passed

Enactment No: Res 23-315

Approval of the Consent Agenda

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

PROCLAMATIONS

23 SMART Ride's 20th Anniversary

Sponsors: City Commission

Attachments: Proclamation

Received and Filed

24 National Hunger and Homelessness Awareness Week

Sponsors: Vice Mayor Kaufman and City Commission

<u>Attachments:</u> <u>Proclamation</u>

Received and Filed

Zonta's 16 Days of Activism

Sponsors: City Commission

Attachments: Proclamation

Received and Filed

Veteran's Day

Sponsors: City Commission

<u>Attachments:</u> <u>Proclamation</u>

Received and Filed

27 Small Business Saturday

Sponsors: City Commission

<u>Attachments:</u> <u>Proclamation</u>

Received and Filed

28 Lung Cancer Awareness Month

Sponsors: Commissioner Hoover, Commissioner Lopez and City Commission

<u>Attachments:</u> <u>Proclamation</u>

Received and Filed

29 Red Ribbon Week

Sponsors: City Commission

<u>Attachments:</u> <u>Proclamation</u>

Received and Filed

PRESENTATIONS

30 Keep Key West Beautiful Award

Sponsors: City Manager Childress

Attachments: Cover Memo

Received and Filed

31 City of Key West Employee Service Awards - Alice Parker,

Human Resources

Sponsors: City Manager Childress

Attachments: Cover Memo

Received and Filed

32 City of Key West Employee of the Quarter - 4th Quarter

FY2023 - Alice Parker

Sponsors: City Manager Childress

Attachments: Cover Memo

Employee of the Quarter-Year Policy

Received and Filed

Homeless Week Presentation by United Way - Michelle

Nevel, Monroe Operations and Community Engagement

Coordinator

Sponsors: Vice Mayor Kaufman

<u>Attachments:</u> <u>Presentation</u>

Received and Filed

Port & Marine Services Department Presentation - Steve

McAlearney, Director

Sponsors: City Manager Childress

<u>Attachments:</u> Presentation

Cover Memo

Received and Filed

DISCUSSION ITEMS

Florida Keys Mosquito Control District - Andrea Leal,

Executive Director

Attachments: Cover Memo

Presentation - Powerpoint

Presentation - PDF

Discussed

AT&T Fiber Outage- Emergency Management Team

Sponsors: City Manager Childress

Attachments: Cover Memo

Discussed

Meeting went into Recess - 10:55 A.M.

Meeting Reconvened - 11:05 A.M.

RESOLUTIONS - Con't

36

Appointing Thaddeus Cohen to the Housing Authority of the City of Key West Board of Commissioners.

Sponsors: Mayor Johnston

Attachments: Resolution

Resume

Division 4 - Code of Ordinances

1986 Code Reference 15.01

Ch 57-1470 Special Act

FS Chpt 421.05

Previous KWHA Appointments

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

No: 2 - Vice Mayor Kaufman and Mayor Johnston

Yes: 5 - Commissioner Carey, Commissioner Hoover, Commissioner Lopez,

Commissioner Wardlow and Commissioner Weekley

Appointing Robert Cintron to the Housing Authority of the City of Key West Board of Commissioners

<u>Sponsors:</u> Mayor Johnston

<u>Attachments:</u> Resolution

Resume

<u>Division 4 - Code of Ordinances</u> 1986 Code Reference 15.01 <u>Ch 57-1470 Special Act</u>

FS Chpt 421.05

Previous KWHA Appointments

A motion was made by Commissioner Lopez, seconded by Commissioner Wardlow, that the Resolution be Denied. The motion carried by the following vote:

No: 2 - Vice Mayor Kaufman and Mayor Johnston

Yes: 5 - Commissioner Carey, Commissioner Hoover, Commissioner Lopez,

Commissioner Wardlow and Commissioner Weekley

39

Approving an Agreement with American Cruise Lines, Inc. for use of the Mallory T-Pier; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo

American Cruise Lines Agreement

Addendum A
Addendum B

Res 23-279 Mallory Compliant Ship Fee Structure

Resolution 22-073 Mallory Limits

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed with the following conditions:

- 1. The vessels are required to leave 2 hours prior to sunset and return 1 hour after sunset
- 2. An MOU between the stakeholders will be written up and attached as an Exhibit to the Resolution outlining the final details between the parties
- 3. There will be a probationary period of 6 months at which point the item may return based on data collected during said period

The motion carried by the following vote:

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

Enactment No: Res 23-316

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, to table all remaining items from Morning Session (Resolutions, Reports, Commission Comments) to the Evening Session. The motion passed unanimously.

RECESS - 12:25 P.M.

EVENING SESSION

RECONVENE - CALL TO ORDER - 5:01 P.M.

ROLL CALL

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

INVOCATION - Father John Baker, Basilica of St. Mary Star of the Sea

PLEDGE OF ALLEGIANCE - John Wilkins, Parking Director

CITIZEN COMMENTS

APPROVAL OF AGENDA - The agenda was unanimously approved as amended to hear the remaining morning items after Commendations.

COMMENDATIONS

40 HOB Buccaneers Football Team

Sponsors: Commissioner Carey, Commissioner Lopez and City Commission

<u>Attachments:</u> Commendation

41 A.J. Smith

<u>Sponsors:</u> Commissioner Carey, Commissioner Wardlow and City Commission

<u>Attachments:</u> Commendation

42 Coach Ralph Henriquez

Sponsors: Commissioner Wardlow, Commissioner Carey and City Commission

<u>Attachments:</u> Commendation

RESOLUTIONS

Requesting that the Florida Department of Transportation (FDOT) install a permanent traffic light at the intersection of College Road and US 1 near Murray Marine expeditiously, within the current fiscal year; Authorizing the City Clerk to provide a certified copy of this Resolution to FDOT.

Sponsors: Commissioner Wardlow

Attachments: Resolution

A motion was made by Commissioner Wardlow, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by unanimous vote.

Enactment No: Res 23-317

44

Approving the attached 2024 Meeting Schedule for the Key West City Commission.

Sponsors: City Manager Childress

<u>Attachments:</u> Resolution

Cover Memo

Proposed 2024 Meeting Schedule

A motion was made by Commissioner Carey, seconded by Commissioner Weekley, that the Resolution be Passed with an amendment to schedule a regular meeting for August 8, 2024 and remove the regular meeting proposed for July 11, 2024 and with the understanding that there will still be budget workshops held in late July 2024. The motion carried by the following vote:

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

Accepting and adopting the updated Monroe County Multi-Jurisdictional Program for Public Information (PPI) to enable the City to remain engaged in the program and further the City's initiatives to reduce flood insurance rates throughout the community under the Community Rating System (CRS).

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo
Exhibit A
Exhibit B

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

Enactment No: Res 23-319

46

Approving the attached "Move-In Assistance Program for Key West".

Sponsors: City Manager Childress

Attachments: Resolution

Cover Memo

Move In Assistance Program

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 Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley

and Mayor Johnston

Enactment No: Res 23-320

CITY MANAGER'S REPORT

47 Department Reports

<u>Attachments:</u> Building October 2023

Code October 2023

Community Services October 2023

Engineering October 2023
Finance October 2023
Fire October 2023

Housing October 2023

HR October 2023 IT October 2023

KWPD October 2023
Parking October 2023

Planning October 2023

Port and Marine October 2023

Property Management October 2023

Public Information October 2023

<u>Transit October 2023</u>
<u>Utilities October 2023</u>

Received and Filed

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

COMMISSION COMMENTS

ORDINANCES - FIRST READING

An Ordinance of the City of Key West, Florida, amending Chapter 70 entitled "Traffic and Vehicles", Article IV of the Code of Ordinances, entitled "Parking, Stopping, and Standing" Division 3 entitled "Parking Rates" by amending Sections 70-187 and 70-188 to authorize the City Manager to set Special Event Hourly Rates to market value during special events; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: Ordinance

Cover Memo

Business Impact Estimate

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

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

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

An Ordinance of the City of Key West, Florida, amending Chapter 90 of the Code of Ordinances, entitled "Administration" by amending Article II, Division 2 titled "Planning Board", Section 90-52, titled "Membership, Terms, and Removal" to amend certain requirements for membership and removal; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Commissioner Hoover Sponsors:

Ordinance Attachments:

Cover Memo

CKW Boards Residency Memo

PB RES 2023-13 Amendment to Requirements for Membership

Business Impact Estimate

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

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

Enactment No: Ord 23-37

ADJOURNMENT - 6:26 P.M.