



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, April 13, 2021

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.

**ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**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

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

#### PROCLAMATIONS

1 World Autism Month

Attachments: [Proclamation](#)

Received and Filed

2 Arbor Day

Attachments: [Proclamation](#)

Received and Filed

3 Sexual Assault Awareness Month

Attachments: [Proclamation](#)

Received and Filed

**PRESENTATIONS**

4 FDOT Presentation - Rodolfo Roman  
Bertha Street to Smathers Street  
Go Lane to SR 5/US 1/ N. Roosevelt Blvd.

Attachments: [Fact Sheet](#)  
[Presentation](#)

Received and Filed

5 Strategic Plan - City Cleanliness - Elisa Levy

Received and Filed

6 Annual Multimodal Report

Attachments: [Transportation Report 2021](#)

Postponed to May 4, 2021

**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**

7 \*March 31, 2021 (Special Meeting)

Attachments: [Minutes](#)

Passed

**RESOLUTIONS**

- 8 \*Designating the signatures of certain City personnel for the withdrawal of City funds from First State Bank and other authorized depositories of City funds.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)

**Passed**

Enactment No: Res 21-048

- 9 \*Authorizing a \$35,000.00 expenditure to A Positive Step of Monroe County, Inc. for the "Idle Hands Summer Youth Employment Program"; Authorizing necessary budget transfers and adjustments from General Funds Reserves.

**Attachments:**    [Resolution](#)  
                              [Supporting Info](#)

**Passed**

Enactment No: Res 21-049

- 10 \*Approving the attached "Interim City Manager Employment Agreement" between the City of Key West and Patty K. McLauchlin.

**Attachments:**    [Resolution](#)  
                              [Contract](#)

**Passed**

Enactment No: Res 21-050

- 11                   \*Authorizing Key West Business Guild, Inc. to conduct a Pride Street Fair on Saturday June 5, 2021 from 10:00 AM to 7:00 PM (set up at 7:00 AM) on the 700, 800, & 900 blocks of Duval Street; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

**Attachments:**     [Resolution](#)  
                              [Application](#)  
                              [Safety Plan](#)  
                              [Executive Summary](#)

**Passed**

Enactment No: Res 21-051

- 12                   \*Approving and authorizing the Key West Carnival Corp to conduct a Juneteenth Carnival and a Parade at the Coffee Butler Key West Amphitheater from 7:00 AM to 11:00 PM on Saturday, June 19, 2021; Authorizing the sale and consumption of alcoholic beverages within the barricaded area of the festival.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Application](#)  
                              [Proposed Parade Layout](#)

**Passed**

Enactment No: Res 21-052

- 13                    \*Approving the submission of an appeal to FEMA of its December 27, 2019 preliminary flood insurance rate maps based upon the scientific engineering and data conducted and gathered by the Flood Map Task Force formed by Fair Insurance Rates in Monroe (FIRM), approve \$85,000 in appeal defense funding and publicly recognize this non-profit organization's continuing efforts to help our community combat excessive insurance costs.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Video Presentation](#)  
                              [Interactive Appeal Comparison Maps](#)

**Passed**

Enactment No: Res 21-053

- 14                    \*Approving Task Order #2 for the "Final Mile" Project between the City and KCI Technologies, Inc. in the amount of \$135,175.00 for the preparation of certain plans and specifications for the project; Authorizing funding from the Transportation Alternative Fund Reserves Account 111-4903-549.3100 and any necessary budget amendments and adjustments; Authorizing the City Manager to execute any necessary documents.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [KCI Scope and Fee](#)  
                              [Resolution 17-207](#)  
                              [Resolution 20-142](#)  
                              [Keith & Schnars \(KCI\) Agreement](#)

**Passed**

Enactment No: Res 21-054

- 15                    \*Ratifying an emergency expenditure totaling \$109,334.00, to The United Way of Collier and the Keys (UWCK) for community rental assistance pursuant to the MOU, the "Stop-Gap Measure Covid-19 Support Proposal", and pursuant to Section 2-797(2) of the Code of Ordinances; Ratifying an emergency expenditure totaling \$67,661.26 to the Florida Keys Area Health Education Center (AHEC) for the Free Rapid Testing Program pursuant to the MOU, the "Stop-Gap Measure Covid -19 Support Proposal", and pursuant to Section 2-797(2) of the Code of Ordinances; Authorizing any necessary budget transfers and adjustments.

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Resolution 21-017](#)  
                          [Stop-Gap Measure COVID Support Proposal](#)  
                          [AHEC & CKW MOU](#)  
                          [UWCK & CKW MOU](#)  
                          [AHEC Invoice #1837](#)  
                          [UWCK Invoice, Dated Feb 22, 2021](#)  
                          [UWCK Invoice, Dated Mar 8, 2021](#)

**Passed**

Enactment No: Res 21-055

- 16                    \*Ratifying the attached "Amendment (2nd Amendment) to Agreement" ID #2287 to extend the termination date to March 31, 2022 for the Rest Beach Enhancements Project; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [2nd Amendment](#)  
                          [Resolution 19-010](#)  
                          [Resolution 20-055](#)

**Passed**

Enactment No: Res 21-056

- 17 \*Ratifying an emergency change order to the procurement from Minutemen Security Technologies for additional equipment for the City Marina Access Control Systems at Garrison Bight Dinghy Dock and Liveaboard Bathhouse Facilities in an amount not to exceed \$6,364.65, pursuant to Section 2-845(a) of the Code of Ordinances; Authorizing necessary budget transfers and adjustments.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Executed ACM Change Order](#)  
[Quote](#)  
[Res #21-016](#)

**Passed**

Enactment No: Res 21-057

- 18 \*Approving the attached "Interlocal Agreement for Construction Services for Whitehead and Front Street Improvements" (ILA) between the Florida Keys Aqueduct Authority and the City of Key West; Authorizing any necessary budget adjustments and transfers.

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[FKAA ILA](#)  
[Res 19-366 CH2M Design Task Order](#)

**Passed**

Enactment No: Res 21-058

- 19                    \*Approving the attached 'Sovereignty Submerged Lands Lease Renewal' between the City and Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the submerged lands located out from 0 Duval Street (BOT File No. 440026265).

**Attachments:**     [Resolution](#)  
                              [Exec Summary](#)  
                              [Letter from FDEP](#)  
                              [0 Duval Submerged Lands Lease](#)  
                              [Email re submerged land lease](#)

**Passed**

Enactment No: Res 21-059

- 20                    \*Authorizing a sole source purchasing exception, pursuant to Key West Code of Ordinances Sec. 2-843 (a) and 2-844(a) (Brand Name), and 2-797(1)(c) (Sole Source), for the procurement of nineteen (19) 10-Footer Finger Pier Extensions for Tarpon Pier at City Marina at Garrison Bight from CMI Limited Co. (Gator Dock) in a total amount not to exceed \$74,160.00.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Gator Dock Quote](#)  
                              [CMI Limited Subsidiary](#)  
                              [Purchase Agent Review](#)  
                              [FDEP Permit](#)  
                              [FKNMS Approval](#)  
                              [Proposed Plans](#)  
                              [Original Gator Dock Shop Drawings](#)

**Passed**

Enactment No: Res 21-060



21

\*Approving a two-year extension to the agreements for professional surveying services approved and authorized in Resolution 18-044 with Avirom & Associates, Florida Keys Land Surveying, LLC and Manuel G. Vera & Associates; Authorizing the City Manager to execute necessary documents to effectuate the agreement extensions, upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
[Res 18-144 Approve Survey Svcs](#)  
[Executive Summary](#)  
[Avirom Agreement](#)  
[FKLS Agreement](#)  
[MG Vera Agreement](#)  
[RFQ 18-002 Prof Surveying Svcs](#)

**Passed**

Enactment No: Res 21-061

22

\*Amending the contract for general traffic engineering services with Keith & Schnars by consenting to assign the contract to KCI Technologies, Inc.

**Attachments:**    [Resolution](#)  
[Executive Summary](#)  
[Res 19-111 Approve K&S to KCI](#)  
[KCI/K&S Assignment and Assumption Agreement](#)  
[Res 18-143 Approve Staff Ranking Short](#)

**Passed**

Enactment No: Res 21-062

- 23 \*Renewing for two years the General Traffic Engineering Services Agreements with three (3) firms, originally awarded in Resolution 18-143 to Calvin Giordano & Associates, Inc., Choice Engineering Consultants, Inc. and KCI Technologies, Inc. (formerly Keith & Schnars); Authorizing the City manager to execute any necessary documents upon consent of the City Attorney.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Res 18-143 Approve Traffic Eng Svcs](#)  
                              [CGA Agreement](#)  
                              [Choice Agreement](#)  
                              [K&S Agreement \(Now KCI\)](#)  
                              [RFQ 18-001 Traffic Eng Svcs](#)

**Passed**

Enactment No: Res 21-063

#### Approval of the Consent Agenda

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

- 24 Terminating the Agreement between the City of Key West and KCI Technologies, Inc. for Duval Street Revitalization Plan, pursuant to Section 7.2 of the Agreement; Authorizing final payment for services rendered, upon provision of project documents specified in Section 7.1 of the Agreement.

**Attachments:**    [Resolution](#)  
                              [Agreement KCI Duval St Revitalization](#)  
                              [Res 20-164](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, 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 21-064

**PRESENTATIONS (Cont.)**

- 25 State Legislation Update - Anchoring Limitations Proposed by HB 639 - Joseph Salzverg of Gray Robinson, P.A.  
Received and Filed

**RESOLUTIONS (Cont.)**

- 26 Requesting the addition of language to HB 639 to match the language proposed in Senate Bill "CS for SB 1086" (as of 4/9/21) to House Bill 639, that would require additional mooring field availability before the bill, if passed, become effective; Directing the City Clerk to provide copies of this Resolution to members of the Florida Legislature.

Attachments:    [Resolution](#)  
                          [HB 639 - Draft as of 4-1-21](#)  
                          [Supporting Information](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, 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 21-065

**Meeting went into Recess - 8:46 P.M.**

**Meeting Reconvened - 8:55 P.M.**

27

**Quasi-Judicial Hearing: Easement - 210-216 Duval Street**

Approving an Easement Agreement in order to reconstruct three (3) second-story balconies that extend approximately a total of 403.53 square feet, more or less, onto the Duval Street right-of-way located within the Historical Residential Commercial Core Duval Street Gulfside (HRCC-1) Zoning District at 210-216 Duval Street, Key West Florida (RE#00001420-000000); Pursuant to Section 2-938(b)(3) 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](#)  
                              [Easement Agreement](#)  
                              [HARC Approval Letter with conditions](#)  
                              [Package](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, 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 21-066

28

**Quasi-Judicial Hearing: Easement - 524 Southard Street**

Approving and Easement Agreement in order to maintain .55 feet of exterior front elevation and 18.4 feet linear length which includes a portion of the wall with a flashing cap, molding, and storefront windows that extend approximately 10.12 square feet, more or less, onto the Southard Street right-of-way located within the Duval Street Oceanside (HRCC-1) Zoning District at 524 Southard Street, Key West, Florida (RE#00012250-000000); Pursuant to Section 2-938(b)(1) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for fees and conditions.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Agreement](#)  
                              [Package](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, 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 21-067

29

Creating an "Adopt a Sign" Program in the City of Key West; Designating the office of the City Manager as the central contact point for the program.

**Attachments:**    [Resolution](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Davila, 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 21-068

30

Authorizing a search for the position of City Manager pursuant to Section 2-143 of the Code of Ordinances; Approving the job description and minimum qualifications for the position; approving an application form; directing a professional process for the search; authorizing necessary budget transfers.

**Attachments:**    [Resolution](#)  
[City Manager Job Description](#)  
[Job Application Form](#)  
[Code of Ordinances Sec 2-143](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed with an amendment to include language to focus the search in the Florida region and to allow for the Interim City Manager to hire a consultant with the discretionary budget amount of \$50,000. 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 21-069

31

Appointing members to an Advisory Screening Committee for a new City Manager; providing duties and for sunset.

**Attachments:**    [Resolution](#)

**A motion was made by Commissioner Davila, seconded by Commissioner Lopez, that the Resolution be Passed with an amendment to reduce the committee to seven (7) members, each appointed by one member of the commission. 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 21-070

- 32 Authorizing the establishment of a City Charter and District Boundary Review Committee; Providing for duties; providing for subsequent appointment of members by Resolution.

**Attachments:**    [Resolution](#)  
[Charter Section 8.01](#)  
[Code Section 2-61](#)  
[Uniform Procedures for Advisory Boards](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed with an amendment to add language that gives power to revise the charter. 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 21-071

#### **ORDINANCES- First Reading**

- 33 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by amending Article VIII entitled "City Property"; Amending Section 2-939 titled "Licenses" to include signage, to require insurance, to provide to fees, to substitute the licensing official for the building official to administer licensing; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

**A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading. 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

#### **CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT - 9:59 P.M.**