



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, October 5, 2021

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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 unanimously approved as amended.

COMMENDATIONS

1 AHEC - Commendation

Sponsors: Vice Mayor Kaufman

Attachments: [Commendation](#)

Received and Filed

PROCLAMATIONS

2 Fire Prevention Week

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

Received and Filed

3 Honoring Mother Jerline Butler 107th Birthday

Sponsors: Commissioner Lopez

Attachments: [Proclamation](#)

[Photo](#)

Received and Filed

PRESENTATIONS

4 20 Year Awards - Oscar Ladino, Foreman in the Public Works Department

Sponsors: City Manager McLaughlin

Received and Filed

5 2022 Legislative Session: Senate and House Appropriation Request - Gray Robinson - Joseph Salzverg

Sponsors: Vice Mayor Kaufman

Received and Filed

6 Flood Mitigation Assistance (FMA) - Christine Hurley

Attachments: [Presentation](#)

[Monroe County Agenda Item Summary](#)

[Hazard Mitigation Assistance Guidance](#)

[Hazard Mitigation Assistance Guidance Addendum](#)

[FMA - Notice of Voluntary Interest Application](#)

Received and Filed

7 City of Key West Post Disaster Recovery and Reconstruction Plan - Susy Torriente via Zoom

Sponsors: City Manager McLaughlin

Attachments: [Presentation](#)
[Key West PDRRP](#)

Received and Filed

City Attorney's Report

City Manager's Report

- KOTS
- Ambassadors Graduation Class of 35
- Hawk Missile Site Update

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

8 *July 22, 2021 (Workshop)

Attachments: [Minutes](#)

Passed

9 *September 13, 2021 (Special)

Attachments: [Minutes](#)

Passed

10 *September 14, 2021 (Regular)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

- 11 *Approving the allocation of an additional \$50,000.00 to the Florida Keys AHEC in support of testing for COVID-19 for local residents/students/workforce; Directing the City Manager to work with the City Attorney to prepare and execute a Memorandum of Understanding with the Keys AHEC Health Centers to ensure that funds will be used specifically for purposes of testing and related activities; Authorizing any necessary budget transfers or adjustments.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)
 [Memo from AHEC 9-20-21](#)
 [Resolution 21-106](#)

Passed

Enactment No: Res 21-200

- 12 *Approving a two-year extension of the "Agreement" between the City of Key West and The Law Offices of Donald E. Yates, P.A., for Code Compliance Special Magistrate Services.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
 [Executive Summary](#)
 [2019 Agreement](#)

Passed

Enactment No: Res 21-201

13

*Authorizing Wesley House Family Services, Inc. to conduct a Family Friendly Holiday Village "Pre-Party" and the Annual Lighted Bike Ride on Friday, December 3, 2021, starting at the Key West Coffee Butler Amphitheater at 4:00 P.M. traveling towards Whitehead Street to Front Street, taking a right on Duval Street, riding the length of Duval Street, returning back to the Amphitheater; Pursuant to Terms and Conditions set forth by the City Manager.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Application & COVID Plan](#)
[Insurance](#)

Passed

Enactment No: Res 21-202

14

*Authorizing the purchase of (1) 2022 Ford F-250 ¾ ton Pickup for (\$43,416), one (1) 2022 Ford F-250 ¾ ton Pickup for (\$43,416), one (1) 2022 Ford F-250 ¾ ton Pickup (\$43,416), one (1) 2022 Ford Explorer for (\$32,306), one (1) 2022 Ford Transit Connect Cargo Mini-Van for (\$24,087), one (1) 2022 Ford F-250 ¾ ton Pickup (\$46,741), one (1) 2022 Ford F-250 ¾ ton Pickup Truck for (\$46,201), one (1) 2022 Ford F250 ¾ ton Pickup Truck for (\$39,906), one (1) 2022 Ford F-550 Bucket Truck (\$199,506), and one (1) 2022 Ford F-150 (\$27,546) in a total amount no to exceed \$503,125.00 from Duval Ford, LLC , through piggybacking on the Florida Sheriff's Association and Florida Association of Counties Bid No. FSA20-VEL28.0/VEH 18.0/EQU 18.0 Contract, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Community Services Department; Authorizing necessary budget transfers.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Florida Sheriffs Contract](#)
[Public Works Two \(2\) 2022 Ford F-250s](#)
[Public Works 2022 Ford Explorer](#)
[Public Works 2022 Ford Transit Cargo Mini Van](#)
[Facilities Maintenance 2022 Ford F-250](#)
[Parks and Recreation 2022 Ford F-250](#)
[Parks and Recreation 2022 Ford F-250 Foreman](#)
[Parks and Recreation 2022 Ford F-550 Bucket Truck](#)
[Parks and Recreation 2022 Ford F-150](#)

Passed

Enactment No: Res 21-203

- 15 *Authorizing the purchase of twenty-four (24) 2021 Ford Police Interceptor AWD Patrol Vehicles from Bartow Ford in an amount not to exceed \$1,030,493.64 pursuant to Charlotte County, Florida Contract 21000541, pursuant to Section 2-797(3) of the Code of Ordinances for use by the Key West Police Department; Authorizing any necessary budget transfers or adjustments.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Charlotte County Notice of Acceptance](#)
[Charlotte County ITB & Bartow Bid](#)
[Bartow Quotes](#)
[Bartow Price Clarification](#)
[2021 Police Interceptor Utility Factory Invoice](#)
[Duval Ford Letter](#)
[Keys Auto Letter](#)
[Charlotte County "Piggyback" Authorization](#)

Passed

Enactment No: Res 21-204

- 16 *Approving a Memorandum of Understanding that modifies the Collective Bargaining Agreement between the City of Key West and the International Association of Firefighters Local 1424, modifying Article 16 titled "Wages and Assignment Pay".

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[IAFF Memorandum of Understanding](#)

Passed

Enactment No: Res 21-205

- 17 *Approving the attached "Federally-Funded Subaward and Grant Agreement" for FEMA Hazard Mitigation Grant Program (HMGP) funds for Project Number 4337-451-R / Agreement Number H0710 Public Service Facilities Wind Retrofit and Dry Floodproofing Project in the amount of \$457,048.50 Federal / \$152,349.50 City match (FAIN: FEMA-DR-4337-FL) pass-through administered by the State of Florida Division of Emergency Management (FDEM); Authorizing the City Manager to execute the subaward and grant agreement and related documents; Authorizing the City Manager to approve and execute subsequent amendments to this grant agreement which may adjust to increase grant funding allocations to the City or modify the project scope; Authorizing any necessary budget amendments.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Agreement](#)
[Resolution 18-205](#)
[HMGP Cost Estimate](#)

Passed

Enactment No: Res 21-206

- 18 *Approving and accepting the attached "City of Key West Post Disaster Recovery and Reconstruction Plan" (PDRRP).

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Key West PDRRP](#)

Passed

Enactment No: Res 21-207

- 19 *Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Transit Block Grant Program funding assistance for SFY (State Fiscal Year) 2022 for operating expenses of the fixed route bus transit in Key West in an amount up to \$949,074.00 (100% of the total eligible program cost) [FDOT Financial Project Number 436702-3-84-01, Contract #G2058]; Authorizing the City Manager to execute necessary documents; Authorizing any necessary budget adjustments or amendments.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Public Transportation Grant Agreement - G2058](#)
 [Resolution 21-156](#)

Passed

Enactment No: Res 21-208

Approval of the Consent Agenda

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

20

Approving and adopting the attached Florida Department of Transportation "Complete Streets Policy"; Approving the attached "Key West Transportation Coordination Team Recommendations to the Monroe County Master Transportation Plan".

Sponsors: Commissioner Hoover

Attachments: [Resolution](#)
[Presentation - Advancing Complete Streets Policy](#)
[FDOT National Synthesis of Transit and Complete Streets Practices](#)
[Prioritization of Monroe Trans Master Plan Recommendations](#)
[Resolution 20-009](#)
[Resolution 201-2019](#)

A motion was made by Commissioner Hoover, seconded by Commissioner Weekley, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 21-209

21

Authorizing the creation of metered parking spaces in the 500, 600, ~~700, 800~~ and 900 blocks of Whitehead Street, and the 200 block of Elizabeth Street pursuant to Section 70-31(a) of the Code of Ordinances; Authorizing City staff to work with the State of Florida to obtain a right-of-way/construction agreement permit for such metered parking along state-owned right-of-way on Whitehead Street, upon advice and consent of the City Attorney.

Sponsors: City Manager McLaughlin

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

A motion was made by Commissioner Davila, seconded by Commissioner Weekley, that the Resolution be Passed with an amendment to the Whitehead Street portion of the Resolution by metering only the 500,600, and 900 blocks of Whitehead street, leaving the 700 and 800 blocks of Whitehead Street available for residential parking, and requesting the Parking Director to identify two other blocks that may be used for metered parking to make up for the budget shortfall. The motion carried by the following vote:

No: 2 - Commissioner Wardlow and Mayor Johnston

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

Enactment No: Res 21-210

22

Accepting/Denying the attached Contract Amendment Request from Waste Management of Florida, Inc. (WMI) for amendments to Solid Waste and Recycling Collection Service Rates for Residential and Commercial Units.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[City Final Offer to WMIF](#)
[WMIF Lisa McNeight Amendment Request Sept 21](#)
[SAB Waste Contract Letter](#)
[Waste Management Commercial Disposal Amended Request](#)
[WMI Request](#)
[Resolution 14-134 - Contract](#)
[Resolution 14-254 - Amendment 1](#)
[Resolution 16-048 - Amendment 2](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Postponed to October 19, 2021. The motion passed by unanimous vote.

23

QUASI-JUDICIAL HEARING: Major Development Plan and Landscape Waiver - 210-216 Duval Street (RE# 00001420-000000)

Granting a Major Development Plan and Landscape Waiver approval at 210-216 Duval Street (RE 00001420-000000) to renovate an existing historic mixed-use structure and enclose a portion of space between buildings of the property located in the Historic Residential Commercial Core (HRCC-1) Zoning District and a request for approval to pay a fee-in-lieu to comply with the City of Key West's Workforce Housing Ordinance pursuant to Sections 108-91, 108-517, and Section 122-1467(1)(A) of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Planning Package *LARGE FILE*](#)
[Staff Report](#)
[Urban Forester's Landscape review](#)
[Utilities Comments](#)
[Keys Energy Comments](#)
[Engineering Comments](#)
[Noticing Package](#)
[Planning Board Resolution 2021-29 for 210-216 Duval St MDP](#)
[Plans](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Postponed to October 19, 2021. The motion passed by unanimous vote.

Enactment No: PB Resolution 2021-29

24

Appointing Bruce Troutman to the Citizens Review Board (CRB).

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Aydent Application](#)
[Cohen Application - Attending via Zoom](#)
[Johnson Application](#)
[Spialter Application - Unable to attend](#)
[Strachan Application](#)
[Troutman Application](#)

A motion was made by Commissioner Gregory Davila, seconded by Commissioner Jimmy Weekley, that the Resolution be Passed naming Bruce Troutman to the Citizens Review Board. The motion passed by unanimous vote.

Enactment No: Res 21-211

25

QUASI-JUDICIAL HEARING:

Approving the attached "Perpetual Easement" (Parcel N. 802.1R), and "Donation of Property to the Florida Department of Transportation" to transfer necessary property for construction of a pump station as part of the reconstruction of State Road A1A/South Roosevelt Boulevard from Bertha Street to the end of Smathers Beach (Project 250458-8:SR A1A/South Roosevelt Blvd); Authorizing the City Manager to execute all necessary documents upon advice and consent of City Attorney. - Steve McAlearney, Director of Engineering

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)
[Executive Summary](#)
[FDOT Easement Donation Request](#)
[Title Report-Parcel 46](#)
[Statement of Significance-Bridle Path](#)
[Bridle Path de Minimis Concurrence](#)
[Drainage Layout](#)

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

Enactment No: Res 21-212

26

Approving the attached "Florida Department of Transportation Pump Station and Drainage Systems Maintenance Memorandum of Agreement with the City of Key West" for maintenance of a pump station which is part of improvements to SR A1A (South Roosevelt Boulevard from Bertha Street to the end of Smathers Beach) (FDOT Project 250458-4, Contract E6L20); Authorizing necessary budget transfers or adjustments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney. - John Paul Castro, Utilities Director/Steve McAlearney, Engineering Director

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[MMOA-South Roosevelt Pump Station](#)

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 21-213

ORDINANCES - FIRST READING

27

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - "Parking Stopping and Standing", Division 5, Section 70-249, to adjust fees; Amending Sections 70-254 and 70-256 to clarify employee parking lot permit regulations; Amending Section 70-265 to clarify Truman Waterfront parking permit regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date. - John Wilkins, Parking Director

Sponsors: City Manager McLauchlin

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 passed by a voice vote with Commissioner Davila and Commissioner Wardlow voting no.

28

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitles "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; Providing for an effective date. - John Wilkins, Parking Director

Sponsors: City Manager McLauchlin

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

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading. The motion passed by unanimous vote.

ORDINANCES - SECOND READING (Public Hearing)

29

An Ordinance of the City of Key West, Florida, pursuant to Section 7.03 of the City Charter, to call for a referendum for the authority to lease real property of approximately 3.2 acres located at the Truman Waterfront and owned by the Naval Properties Local Redevelopment Authority of the City of Key West ("LRA"), such lease for a duration of the up to 99 years, thereby exceeding the Charter limit of 20 years, exclusively for affordable workforce housing, the final terms of which must be approved by the LRA; Authorizing the City Clerk to take all necessary action to place this measure on the ballot for January 18, 2022; Providing for severability; providing for repeal of inconsistent provisions; Providing for an effective date. City Attorney Shawn Smith

Sponsors: City Attorney Smith

Attachments: [Ordinance](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Adopted with the word 'Trust' being removed after Truman Waterfront in Section 4. 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: Ord 21-15

CITIZEN COMMENTS

Attachments: [Public Comment - KWCommissonLtr 10-04-21](#)
[ADDENDUM: KWCommissonLtr 10-04-2104021](#)

COMMISSION COMMENTS

ADJOURNMENT - 8:38 P.M.