



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Meeting Agenda Full Detail

### City Commission

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Tuesday, November 1, 2022

5:00 PM

City Hall

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REVISED October 31, 2022

**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.**

**You may attend/participate virtually via Zoom by telephoning 646-558-8656 Meeting ID:816 3560 8924 Passcode: 651619 or online at: <https://cityofkeywest-fl-gov.zoom.us/j/81635608924> Passcode: 651619**

**CALL MEETING TO ORDER**

**ROLL CALL**

**INVOCATION - Chaplain Bettis, U.S. Coast Guard Sector**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

**PROCLAMATIONS**

**1 Veteran's Day**

**Sponsors:** City Commission

**Attachments:** [Proclamation](#)

**2 Lung Cancer Awareness Month Proclamation - Lions Club**

**Sponsors:** City Commission

**Attachments:** [Proclamation](#)

**PRESENTATIONS**

- 3 Commissioning of the USS Lenah HIGBEE (DDG123) -  
Martin Jenkins, Navy League President

Sponsors: City Manager McLaughlin

**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

- 4 \*October 19, 2022

Attachments: [Minutes](#)

#### RESOLUTIONS

- 5 \*Approving and adopting the attached "The City of Key West  
Job Description - City Manager".

Sponsors: City Commission

Attachments: [Resolution](#)

[Executive Summary](#)

[City Manager Job Description](#)

- 6 \*Authorizing the Monroe County Commercial Fishermen, Inc. to conduct the annual Florida Keys Seafood Festival at Bayview Park on Saturday, January 14, 2023 from 11:00 A.M. to Sunday, January 15, 2023 from 11:00 A.M. to 5:00 P.M. (Set up Friday, January 13th, 2023 and tear down on Sunday, January 15 & Monday, January 16, 2023); Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Application & Approvals](#)

- 7 \*Approving the City Attorney Performance Evaluation (2022).

**Sponsors:** City Attorney Smith

**Attachments:** [Resolution](#)  
[City Attorney Performance Evaluation Form 2022](#)  
[Mayor Johnston](#)  
[Commissioner Davila](#)  
[Commissioner Hoover](#)  
[Commissioner Kaufman](#)  
[Commissioner Lopez](#)  
[Commissioner Wardlow](#)  
[Commissioner Weekley](#)  
[Combined Scores](#)

- 8 \*Approving the attached Collective Bargaining Agreement between City of Key West and the International Association of Firefighters Local 1424 (IAFF) for the period of October 1, 2022 through September 30, 2024.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Contract Ratification](#)  
[IAFF Collective Bargaining Agreement](#)

- 9 \*Authorizing cumulative expenditures during FY 22-23 to entities listed in Executive Summary in excess of \$50,000.00.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Blanket PO Acknowledgement](#)
- 10 \*Authorizing the attached "State of Florida Department of Transportation Local Area Program" Supplemental Agreement (Supplement No. 1) to Local Agency Program (LAP) Agreement (FPN #446126-1-58-01 and 446126-1-68-01, Contract No. G2722, FAIN D620-045-B) between the City of Key West and Florida Department of Transportation (FDOT) in the amount of \$437,268.00 for the "Final Mile" Project for purchase and installation of bicycle, pedestrian and bus rider amenities at high use bus stops and public areas along the Lower Keys Shuttle Bus Route; Authorizing the City Manager to execute necessary documents; Authorizing any necessary budget amendments.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)  
[Executive Summary](#)  
[446126-1-58-01 LA Request for Amendment to Increase Department Participati](#)  
[446126-1-58-01 Supplemental 1](#)  
[Res 21-188 and LAP Agreement](#)
- 11 \*Approving a Task Order between the City RS & H, Inc. in the amount of \$198,142.39 for construction engineering and inspection (CEI) services for the "Final Mile" Mode Shift Bike Facilities Project; Authorizing necessary budget amendments or adjustments; Authorizing the City Manager to execute any necessary documents.
- Sponsors:** City Manager McLaughlin
- Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Res 20-057 CEI General Services](#)  
[RSH Executed Contract 4.29.2020](#)  
[CEI Scope-Budget FIN 446126-1-58-01 ITB 22-007](#)

- 12 \*Awarding the bid of Coral Construction Company received in response to the Invitation to Bid (ITB) #22-007 for Final Mile Mode Shift Bike Facilities (Project #FM 446126-1-58-01 / TA49032102) in a total amount not to exceed \$992,268.00; Authorizing any necessary budget adjustments and amendments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents, upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[ITB 22-007 Final Mile Bike Parking Facilities Bid Memo](#)

[ITB 22-007 Coral Construction Bid](#)

[LA Request for Concurrence](#)

[FDOT Concurrence to Award](#)

[LA Notice of Intent to Award](#)

[ITB 22-007](#)

[ITB 22-007 Plans](#)

[ITB 22-007 Attachments S&S](#)

[Res 21-188 and LAP Agreement](#)

- 13 \*Approving Task Order 4-22 Eng from CH2M Hill Engineers, Inc. in an amount not to exceed \$83,934.00 for professional services to develop a pilot project to establish a Pavement Rehabilitation Program focused on early life cycle techniques to extend pavement life; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Task Order](#)

[Res 17-207 Approve Gen Eng Svcs small](#)

[Res 20-142 Renew Gen Eng Svcs](#)

[Resolution 22-171](#)

- 14                    \*Approving Task Order 9-22 Eng from CH2M Hill Engineers, Inc. in an amount not to exceed \$144,451.00 for professional design services for the South Street Roadway Improvements Project; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Task Order](#)

[Res 17-207 Approve Gen Eng Svcs small](#)

[Resolution 22-171](#)

[Resolution 22-171](#)

[South Street Project Limits Map](#)

- 15                    \*Authorizing the purchase of an Axon Bundle, including 103 Taser 7s, 103 Body Worn Cameras, 20 In-Car Camera Systems, 2 Interview Room Camera Systems and related equipment and software, pursuant to Key West Code of Ordinances Sec. 2-844(a) (Brand Name), 2-797(1) (b) and 2-797 (1) (c) (Sole Source) and 2-797(b) (Best Interests) from Axon Enterprise, Inc. in a total amount of \$1,534,709.60; Authorizing the City Manager or designee to execute the necessary documents, upon consent of the City Attorney; Authorizing any necessary budget transfers or adjustments.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Agreement](#)

[Axon Quote - TasersBWCfleet](#)

[Axon Quote - 2 Interview Rooms](#)

[AXON Sole Source](#)

16

\*Approving Change Order #4 in the amount of \$776,488.97 for added scope of work, including work on Eaton Street from Simonton Street to Whitehead Street, and authorizing a 70-day time extension under the contract awarded to Charley Toppino and Sons, Inc. for ITB #21-009, Whitehead and Front Improvements Project; 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 McLaughlin

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

[Executive Summary](#)

[Cost Breakdown](#)

[Change Order](#)

[City of Key West Estimate](#)

[Monroe County Estimate](#)

[ILA -County](#)

[ILA-FKAA](#)

[Quantity Sheet](#)

[Resolution 19-366](#)

[Resolution 21-058](#)

[Resolution 21-113](#)

[Resolution 22-078](#)

[Resolution 22-120](#)

[Resolution 20-029](#)

[County Letter of Intent](#)

- 17 \*Approving a Change Order in the amount of \$125,392.61 for additional breakers for the Aeration System Upgrades and Electrical Switchgear Project (SE35042002) at the Richard A. Heyman Environmental Protection Facility, and authorizing a time extension of 120 days under the contract awarded to Charley Toppino and Sons, Inc. for ITB #21-006; 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 McLaughlin

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

[Executive Summary](#)

[Change Order](#)

[Resolution 21-158 - Construction contract](#)

[Aeration System and Electrical Switchgear Plans](#)

[Response to RFI 016](#)

- 18 \*Authorizing FY 2021-22 budget amendments in the total amount of \$568,000.00: Specifically to transfer surplus funds from Solid Waste-Dumping Revenue in the amount of \$90,000.00 to transfer Station Operations in the amount of \$90,000.00 and to transfer funds from Solid Waste-Commercial Revenue in the amount of \$478,000.00 to Solid Waste Hauling & Disposal in the amount of \$478,000.00; Authorizing the City Manager to execute all documents consistent therewith.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Budget Transfer \\_ Finance](#)

[WM Contract / Resolution 14-134](#)

[Resolution 21-259](#)



19

**Proposed to be Postponed to November 15, 2022:**

Approving and accepting the attached "Solar Evaluation Form" prepared by the Key West Engineering Department for the Keys Overnight Temporary Shelter Project (KOTS); Determining that a solar energy system at KOTS would not be cost efficient at this time.

**Sponsors:** City Manager McLauchlin

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

[Executive Summary](#)

[WOOD Solar Evaluation Form](#)

[WOOD Task Order Solar Design](#)

**Legislative History**

10/19/22      City Commission      Postponed

20

**Proposed to be Postponed to November 15, 2022:**

Requesting the Monroe County Land Authority for funding in the amount of \$4,089,750.00, for the construction of for sale workforce housing at the proposed Lofts at Bahama Village Development located at 318 Fort Street (otherwise known as the 3.2 acre site) pursuant to Section 380.0666 (3) (A), Florida Statutes, an in accordance with City of Key West Comprehensive Plan Policy 3-1.1.7.

**Sponsors:** City Manager McLauchlin

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

[Executive Summary](#)

[Res. 22-158 3.2 Ground Lease - Housing Sales](#)

**Legislative History**

10/19/22      City Commission      Postponed

21

Approving the ranking of responses to the Request for Qualifications (RFQ) No. 22-004 for the Duval Street Economic Corridor Resiliency and Revitalization Plan by the selection committee; Authorizing the City Manager and City Attorney to draft a contract with the highest firm or team.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Duval Revitalization RFQ FINAL](#)

[Scoring and Ranking Sheet](#)

[RFQ Scoring and Ranking Signed](#)

[Jacobs RFQ Proposal](#)

[Stantec RFQ Proposal](#)

[WGI Proposal](#)

[WSP Proposal](#)

[RK & K Proposal](#)

[Jacobs Commission Presentation](#)

[Stantec Commission Presentation](#)

[WGI Commission Presentation](#)

22

### **Quasi-Judicial Hearing: Easement - Marriott Beachside**

Approving an Easement over the parcel of accreted land adjacent to the Key West Marriott Beachside Hotel; Pursuant to Section 2-938(b)(3) of the Land Development Regulation of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.

**Sponsors:** City Manager McLaughlin

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

[Easement Agreement](#)

#### **Legislative History**

10/6/22

City Commission

Postponed

23

### Quasi-Judicial Hearing: After-the-Fact Easement - 3838 Flagler Avenue

Approving an After-the-Fact Easement Agreement for encroachments totaling 266.0 square fee, more or less, to construct one (1) boatlift and one (1) wood dock onto City owned Sunrise Canal abutting property located within the Single-Family (SF) 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; Providing fees and conditions.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Easement Agreement](#)

[Planning Package](#)

**Legislative History**

9/22/22	Development Review Committee	Received and Filed
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### ORDINANCES – FIRST READING

24

An Ordinance of the City of Key West, Florida, amending Chapter 46, Section 246 of the Code of Ordinances to increase the post retirement of supplement paid to retirees of the Police Officers' and Firefighters' Retirement Plan; Creating Chapter 46, Section 328 of Code of Ordinances to provide for ad-hoc thirteenth check to be paid funded by net investment returns of the plan over nine percent: Providing for severability; Providing for repeal of inconsistent provision; Providing for an effective date.

**Sponsors:** Vice Mayor Kaufman

**Attachments:** [Ordinance- Proposed to be substituted](#)

[Ordinance](#)

[Executive Summary](#)

[Actuarial Report](#)

**Legislative History**

8/16/22	City Commission	Postponed
9/20/22	City Commission	Postponed
10/6/22	City Commission	Postponed

25

An Ordinance of the City of Key West, Florida, amending the boundaries of the Comprehensive Plan Future Land Use Map (FLUM) Category from Historic Residential (HR) to Historic Commercial (HC) for the parcel identified by RE# 00014010-000000, including addresses of 318 and 320 Petronia Street, and 802, 804 and 806 Whitehead Street, pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Lopez

**Attachments:** [Ordinance -10.6.22](#)

[Executive Summary - 10.6.22](#)

[Ordinance - 9.16.20 Draft](#)

[Executive Summary - 9.16.20](#)

[Presentation 9.16.20](#)

[Planning Board Resolution 2020-01](#)

[\\*Large File\\* Planning Packet](#)

[\\*Large File\\* 909 page submittal from Neighbors](#)

[Request to Postpone](#)

[Letters of Objection from surrounding neighbors](#)

[Neighbors' Objection to Commission Proceeding](#)

[Presentation on Flum Amendment.pdf](#)

[Letter from Todd Santoro](#)

[Letter from Robert Walsh](#)

[Letter from Marci Rose](#)

[Written Presentation Notes - Owen Trepanier](#)

**Legislative History**

5/23/19	Development Review Committee	Received and Filed
6/20/19	Planning Board	Postponed
7/18/19	Planning Board	Postponed
8/15/19	Planning Board	Postponed
9/19/19	Planning Board	Postponed
10/17/19	Planning Board	Postponed
11/21/19	Planning Board	Postponed
1/16/20	Planning Board	Passed

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3/3/20	City Commission	Postponed
4/7/20	City Commission	Postponed
5/5/20	City Commission	Postponed
6/2/20	City Commission	Postponed
6/16/20	City Commission	Postponed
7/21/20	City Commission	Postponed
9/16/20	City Commission	Postponed
10/6/22	City Commission	Postponed

26

An Ordinance of the City of Key West, Florida, amending the boundaries of the Official Zoning Map category from Historic Medium Density Residential (HMDR) to Historic Neighborhood Commercial (HNC-3) Zoning District for the parcel identified by RE# 00014010-000000, including addresses of 318 and 320 Petronia Street, and 802, 804 and 806 Whitehead Street, pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Lopez

**Attachments:** [Ordinance - 10.6.22](#)

[Executive Summary - 10.6.22](#)

[Ordinance - 9.16.20 Draft](#)

[Executive Summary - 9.16.20](#)

[Presentation 9.16.20](#)

[Planning Board Resolution 2020-02](#)

[\\*Large File\\* Planning Packet](#)

[\\*Large File\\* 909 page submittal from Neighbors](#)

[Request to Postpone](#)

[Letters of Objection from surrounding neighbors](#)

[Neighbors' Objection to Commission Proceedings](#)

[Letter from Todd Santoro](#)

[Letter from Robert Walsh](#)

[Letter from Marci Rose](#)

**Legislative History**

5/23/19	Development Review Committee	Received and Filed
6/20/19	Planning Board	Postponed
7/18/19	Planning Board	Postponed
8/15/19	Planning Board	Postponed
9/19/19	Planning Board	Postponed
10/17/19	Planning Board	Postponed
11/21/19	Planning Board	Postponed
1/16/20	Planning Board	Passed
3/3/20	City Commission	Postponed
4/7/20	City Commission	Postponed
5/5/20	City Commission	Postponed
6/2/20	City Commission	Postponed
6/16/20	City Commission	Postponed
7/21/20	City Commission	Postponed
9/16/20	City Commission	Postponed
10/6/22	City Commission	Postponed

27

An Ordinance of the City of Key West, Florida, amending the Comprehensive Plan to replace Appendix C: City of Key West Water Supply Facilities Work Plan, as well as amending Comprehensive Plan Chapter 1: Future Land Use Element Objectives 1-1.7, and Policies 1-1.12.6., 1-1.12.7 and 1-1.12.8; Chapter 4: Public Facilities Element, Objectives 4-1.2, and Policies 4-1.2.1 and 4-1.2.2; Chapter 5: Coastal Management Element, Policy 5-1.2.2; Chapter 6: Conservation Element, Policies 6-1.2.2.5, 6-1.2.8, 6-1.2.9, 6-1.2.12, 6-1.2.14 and 6-1.2.19, Chapter 8: Intergovernmental Coordination Element, Policy 8-1.3.5; and Chapter 9: Capital Improvements Element, Policies 9-1.6.1, and 9-4.1.3; Providing for transmittal to the State Land Planning Agency; Providing for severability; Providing for repeal of inconsistent provisions; Providing for the inclusion in the City of Key West Comprehensive Plan; and providing for an effective date.

**Sponsors:** City Manager McLauchlin

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

[Executive Summary](#)

[PB RES 2022-043 - WSP COMP](#)

[PB Staff Report 9.15.22](#)

[Water Supply Plan Work Plan - Strike Through Underlined Version](#)

[Water Fixture Analysis](#)

[WSP Presentation](#)

**Legislative History**

8/18/22	Planning Board	Postponed
9/15/22	Planning Board	Approved

- 28 An Ordinance of the City of Key West, Florida, amending Chapter 14 of the Code of Ordinances entitled "Buildings and Building Regulations" by amending Section 14.35 entitled "Amendments to the Building Code" to reduce maximum flow rates and add new appliances within Section 604.4 and P2903.2; and amending Chapter 74 Utilities, Article III Water and Water Management, Division 2 Conservation, Subdivision II: Permanent Water Conservation Measures, Sections 74-295, 74-296, 74-297, 74-299, and 74-300; Providing for transmittal to the State Land Planning Agency; Providing for repeal of inconsistent provisions; and providing for an effective date.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Water Fixture Analysis](#)

#### **ORDINANCES - SECOND READING (Public Hearing)**

- 29 An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by amending Section 18-359, to add additional safety regulations and decal identification for golf carts and similar vehicles; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** Commissioner Weekley

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

**Legislative History**

10/6/22

City Commission

Passed to Second Reading

#### **PROPOSED ADD-ON RESOLUTION**



30

Amending Resolution Number 22-189 for the On Pointe Restaurant Group, LLC DBA La Trattoria Venezia to allow a change of dates from Thursday, November 10, 2022 from 5:00 P.M. to 10:00 P.M. to Friday, November 18, 2022 from 5:00 P.M. to 10:00 P.M. on Applerouth Lane between Duval Street & Whitehead Street on Friday, November 18, 2022 from 5:00 P.M. to 10:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Granting a Special Event Permit pursuant Section 6-86 of the Code of Ordinances for the event; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution with Amended Date](#)

[Letter requesting the change](#)

[Resolution 22-189 - Original](#)

[Executive Summary](#)

[Application](#)

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**