



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

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, January 11, 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 - 9:00 A.M.

CALL MEETING TO ORDER

ROLL CALL

INVOCATION - Pastor Lee Johnson, Metropolitan Community Church

PLEDGE OF ALLEGIANCE TO THE FLAG - Todd Stoughton, Assistant City Manager

CITIZEN COMMENTS

APPROVAL OF AGENDA

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 *December 14, 2023

Attachments: [Minutes](#)

RESOLUTIONS

2 *Authorizing Mote Marine Laboratory, Inc. to conduct a "Florida Keys Ocean Festival" at the Truman Waterfront grassy area by the splash pad on Saturday, April 20, 2024 from 10:00 A.M. to 3:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the barricaded area.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Application & Approvals](#)

3 *Approving the Employment Agreement between the City of Key West and Police Chief, Sean T. Brandenburg; Authorizing the City Manager to execute the Employment Agreement; Providing for implementation.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Exhibit A- Employment Agreement](#)

[Executive Performance Agreement](#)

[Police Chief Donald Lee Employment Agreements 2008 and 2014](#)

- 4 *Supporting the Plan of the Monroe County Board of County Commissioners to create a Hurricane Working Group with all municipalities located within Monroe County, including Key West, to provide recommendations on the Florida Keys Hurricane Evacuation Modeling process and related concerns; Authorizing the City Manager and/or designees to participate in a Monroe County Hurricane Working Group.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Monroe County BOCC Resolution 572-2023](#)

[Monroe County Agenda Item L1](#)

[Clearance Times Summary Table](#)

[Hurricane Loss Model Brief](#)

- 5 *Authorizing the purchase of one (1) 2024 Ford Transit T-150 Medium Roof Cargo Van with related accessories in an amount not to exceed \$60,908.22 from Duval Ford LLC, through piggybacking on the Florida Sheriff's Association Contract No. FSA23-VEL31.0, 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 and Backup](#)

[Sheriffs Contract](#)

- 6 *Awarding the bid of Beach Raker, LLC. in response to Invitation to Bid ("ITB") #24-003 for the Smathers and Rest Beach Cleaning Contract; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[ITB 24-003](#)

[Bid Memo](#)

[Beach Raker LLC Bid](#)

- 7 *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](#)

Legislative History

11/9/23

City Commission

Postponed

- 8 *Approving the attached City Marina Liveaboard Lottery Dockage Agreement.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Lease Agreement](#)

- 9 *Approving the execution of Restrictive Covenants Document associated with a matching Grant Agreement between the Key West Art Center and the State of Florida Department of State for City owned property located at 301 Front Street, Key West, Florida.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Restrictive Covenants](#)

[Grant Award Agreement](#)

[Letter of Concurrence](#)

[17-067 Lease](#)

- 10 *Authorizing the attached "State of Florida Department of Transportation Local Agency Program Supplemental Agreement" Supplement No. 2 to Local Agency Program 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 increasing grant funding by \$114,000.00 for the "Final Mile" Project for construction of transit stop lighting at high use bus stops along the Lower Keys Shuttle Bus Route; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney; Authorizing any necessary budget transfers and amendments.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Resolution 21-188](#)

[Resolution 22-245](#)

[Resolution 23-331](#)

[Supplemental No. 2](#)

- 11 *Authorizing the purchase of one (1) 35' Electric Gillig Bus and one (1) 30' Low Floor Clean Diesel Gillig Bus in a total amount of \$1,875,768.00 pursuant to State Contract, pursuant to Sections 2-797(1)(3) and 2-844(A) of the Code of Ordinances.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[35' EBus Price Quote](#)

[30' LF Diesel Price Quote](#)

[Resolution 23-343](#)

[Intent to Award Ltr. 12-28-2023](#)

- 12 *Approving the attached "Out of Scope Letter Agreement" for additional services, pursuant to Section 3.2.5 of the amended "Agreement for Operations, Maintenance, and Management Services for the City of Key West, Florida, Wastewater Facilities" ("Agreement") between the City and Operations Management International, Inc. (OMI) to replace and install the Ultraviolet Disinfection System at the Richard A Heyman Environmental Pollution Control Facility (RAHEPF) in the amount of \$317,168.00; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager to execute necessary paperwork upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[OMI - UVDS Installation Proposal](#)

[OMI Key West Contract *Large File*](#)

[Resolution 13-304](#)

[Resolution 18-366](#)

[Resolution 23-043](#)

[OGC 21-0581](#)

- 13 *Approving a Task Order to Stantec Consulting Services, Inc. in an amount not to exceed \$134,450.00 for the design of Dennis Street Stormwater Improvements Phase II; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Stantec Proposal](#)

[Stantec Contract](#)

[Resolution 18-306](#)

[Resolution 20-041 *Large File*](#)

[Resolution 20-050](#)

[Resolution 23-029 *Large File*](#)

PRESENTATIONS

- 14 City of Key West Employee of the Quarter - Bridget Flores, Director of Human Resources
- Sponsors:** City Manager Childress
- Attachments:** [Cover Memo](#)
- [Nomination Package - Floyd Jenkins](#)
- 15 City of Key West Employee Service Awards - Bridget Flores, Director of Human Resources
- Sponsors:** City Manager Childress
- Attachments:** [Cover Memo](#)
- 16 Keep Key West Beautiful Award - Jim Young, Director of Code Compliance
- Sponsors:** City Manager Childress
- Attachments:** [Cover Memo](#)
- 17 Community Services - Marcus Davila, Director
- Attachments:** [Presentation](#)

DISCUSSION

18 Park and Ride Lease Renewal

Sponsors: City Manager Childress

Attachments: [Presentation](#)

[Cover Memo](#)

[KEYS Reply Jan 4, 2024](#)

[City Offer Dec 29, 2023](#)

[LTC - Park and Ride Operational Expenditures](#)

19 General Obligation Bond Presentation - PFM Consultants

Sponsors: City Manager Childress

Attachments: [Presentation](#)

[Cover Memo](#)

[Presentation - PDF Version](#)

CITY MANAGER'S REPORT**20** Department Reports- December 2023

Attachments: [Building December 2023](#)

[Code Compliance December 2023](#)

[Community Services December 2023](#)

[Engineering December 2023](#)

[Finance December 2023](#)

[Fire December 2023](#)

[Housing and CDO December 2023](#)

[HR December 2023](#)

[IT December 2023](#)

[KWPD December 2023](#)

[Parking December 2023](#)

[Planning December 2023](#)

[Port and Marine Services December 2023](#)

[Property Management December 2023](#)

[Public Information December 2023](#)

[Transit December 2023](#)

[Utilities December 2023](#)

CITY ATTORNEY'S REPORT**CITY CLERK'S REPORT**

21

January - December 2023

Attachments: [January through December 2023](#)

COMMISSION COMMENTS

RECESS

EVENING SESSION - 5:00 P.M.

RECONVENE - CALL TO ORDER

ROLL CALL

INVOCATION - Pastor Lee Johnson, Metropolitan Community Church

PLEDGE OF ALLEGIANCE - Todd Stoughton, Assistant City Manager

CITIZEN COMMENTS

APPROVAL OF AGENDA

PROCLAMATIONS

22 **Velma Christian Lifetime Achievement Award**

Sponsors: Mayor Johnston and City Commission

Attachments: [Proclamation](#)

[Cover Memo](#)

23 **Keys To Be the Change Mentoring Month**

Sponsors: City Commission

Attachments: [Proclamation](#)

PRESENTATIONS

24 **State of the City - Mayor Teri Johnston**

Sponsors: Mayor Johnston

RESOLUTIONS

25

Denying/Granting the appeal by Barton W. Smith, Esq. on behalf of the property owner, Passero Development LLC, of the Floodplain Administrator's Substantial Improvement Determination rendered on October 26, 2023, for the single-family home located at 2320 Patterson Avenue, Key West, Florida, RE #00050210-000000.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[*Large File* Appeal](#)

[*Large File* Exhibit A](#)

[Exhibit B](#)

[Exhibit C](#)

[Request for Postponement](#)

[Memorandum in Support of Appeal](#)

[Executed Bennett Affidavit](#)

[Executed Chilberg Affidavit](#)

[City Staff Presentation](#)

Legislative History

12/14/23	City Commission	Postponed
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26

Major Modification to a Major Development Plan and Conditional Use- 2407 N. Roosevelt Boulevard (RE# 00002280-000100) - [Granting/Denying] a Major Modification to a Major Development Plan and Conditional Use for property located at 2407 North Roosevelt Boulevard in the Conservation Zoning District, pursuant to Section 108-91(C) (3), 122-63(E), and 122-129 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[PB RES 2023-027](#)

[Staff Report Dec 2023](#)

[Noticing Package Dec 2023](#)

[Gulfview Pointe Association Response Letter](#)

[Letter of Objection to Planning REVISED Staff Report Issued](#)

[Staff Report Nov 2023](#)

[Planning Package Nov 2023](#)

[Noticing Package Nov 2023](#)

[Public Comment and Applicant Information](#)

[Applicant Presentation](#)

[Public Comment - Support \(Lion's Club\)](#)

[Public Comment - Holsenbeck](#)

Legislative History

11/16/23	Planning Board	Postponed
12/12/23	Planning Board	Approved

ORDINANCES – FIRST READING

- 27 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, titled "Administration", by amending Sec. 2-285 titled "Regular Meetings" by amending the monthly requirement for meetings of advisory boards to a minimum of bimonthly meetings; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.
- Sponsors:** Commissioner Weekley
- Attachments:** [Ordinance](#)
[Cover Memo](#)
[Business Impact Estimate](#)
- 28 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by adopting a new District Boundary Map for the City Commission's Electoral Districts; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.
- Sponsors:** City Attorney Ramsingh
- Attachments:** [Ordinance](#)
[Cover Memo](#)
[2021 Map](#)
[Proposed 2024 Adjustment](#)
[Business Impact Estimate](#)
- 29 An Ordinance of the City of Key West, Florida, amending Chapter 14 of the Code of Ordinances entitled "Buildings and Building Regulations", Article I entitled "In General", Section 14-1 entitled "Applicable Fees"; to allow for an increase in administrative service, building, mechanical, electrical, plumbing, and after the fact permit fees; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.
- Sponsors:** City Manager Childress
- Attachments:** [Ordinance](#)
[Cover Memo](#)
[Utilization Report](#)
[Business Impact Estimate](#)

30

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by creating Article XV titled "Obscene Materials", Division 1, entitled "Display of Obscene Materials"; Creating Sec 18-800 titled "Intent"; Creating Sec 18-801 entitled "Definitions"; Creating Section 18-802 entitled "Regulations"; Creating Sec 18-803 entitled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Johnston, Commissioner Wardlow, Commissioner Weekley, Commissioner Carey, Commissioner Lopez and Commissioner Hoover

Attachments: [Ordinance - Original](#)
[Cover Memo - Original](#)
[Ordinance - Expanded](#)
[Cover Memo - Expanded](#)
[Business Impact Estimate](#)

31

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses", by amending Article II entitled "Alcoholic Beverages", Division II entitled Entertainment License, amending Section 18-60 to reduce the number of violations of Division 3 of Article II of Chapter 6 and Article IV of Chapter 26 from three to one for a mandatory Suspension or Revocation Hearing, providing for enforcement, fees and penalties; 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](#)

- 32 An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances, entitled "Environment", by amending Article IV entitled "Sound Control", amending Section 26-192(B) to remove the decibel levels within the Core Commercial District and establish a Disturbing Noise Standard and amending Section 26-192 (3) amending the definition of a Complaint of Disturbing Noise to within 100 feet of a commercial district sound source and, providing for enforcement, fees and penalties; 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](#)

- 33 **Text Amendment of the Land Development Regulations**
- An Ordinance of the City of Key West, Florida, amending Chapter 114 of the Code of Ordinances, entitled "Signs" by amending Section 114-2 titled "Posting Notices, Signs or Advertising Matter on Trees, Poles or Public Property" and by amending Section 114-103 titled "Prohibited Signs" and amending corresponding HARC Sign Guidelines to provide for exceptions for non-profit temporary banner signs and open house real estate signs; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2023-033](#)

[Staff Report](#)

Legislative History

12/12/23

Planning Board

Approved

34

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 IV, entitled "Districts", Division 3 entitled "Residential Districts", Subdivision III entitled "Single-Family Residential District (SF)", Section 122-232 entitled "Accessory Units", and Section 122-233 entitled "Special Criteria Applicable to Accessory Units" to amend the required setbacks for deed restricted affordable accessory units; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2023-030](#)

[Staff Report](#)

[Building Department Cover Memo](#)

[Building Department Draft Ordinance](#)

Legislative History

11/16/23	Planning Board	Postponed
12/12/23	Planning Board	Approved

35

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, Article III entitled "Conditional Uses", Section 122-63 "Review; enforcement" to allow administrative procedure over the voluntary revocation of Conditional Use Permits; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2023-032](#)

[Staff Report](#)

Legislative History

12/12/23	Planning Board	Approved
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36

Text Amendment of the Land Development Regulations

- An Ordinance of the City of Key West, Florida, amending Land Development Regulations 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", to revise the definitions of "Reconstruction," "Replacement," "Repairs" and "Maintenance" with regards to entitlements for nonconforming structures; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2023-031](#)

[Staff Report](#)

[Building Department Cover Memo](#)

[Building Department Draft Ordinance](#)

Legislative History

11/16/23	Planning Board	Postponed
12/12/23	Planning Board	Approved

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

37

An Ordinance of the City of Key West, Florida, amending Chapter 66 of the Code of Ordinances, titled "Taxation", by amending Sec. 66-109 titled "Schedule of Taxes" by adjusting the schedule of Business Tax Receipts; 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](#)

[BTR Fee Increase](#)

Legislative History

12/14/23	City Commission	Passed to Second Reading
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ADJOURNMENT