



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Tuesday, May 4, 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.

You may attend/participate virtually via Zoom by telephoning 1-301-715-8592 Meeting ID 832 4559 4440 Passcode: 981845 or online at <https://zoom.us/j/83245594440> Passcode: 981845

CALL MEETING TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

PROCLAMATIONS

1 National Police Week

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

2 National Emergency Medical Services Week

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

PRESENTATIONS

3 Annual Multimodal Report

Sponsors: City Manager McLaughlin

Attachments: [Transportation Report 2021](#)

Legislative History

4/13/21 City Commission Postponed

4 Army Corps Coastal Storm Risk Management Study Update -
Rachel Haug, Senior Planner, U.S. Army Corps of Engineers

Sponsors: City Manager McLauchlin

Attachments: [Presentation](#)

5 Key West Department of Transportation - Rod Delostrinos,
Transportation Director

Sponsors: City Manager McLauchlin

Attachments: [Presentation](#)

6

Fiscal Year 2020-21 Financial Update and Fiscal Year 2021-22 Budget Schedule

Sponsors: City Manager McLaughlin

Attachments: [FY 2020-21 Financial Update](#)

[FY 2021-22 CKW Budget](#)

[Fund Balance Recon FYE 2020](#)

[2021 Cashflow General Fund](#)

[General Fund Revenues - 6 Month Budget to Actual](#)

[General Fund Expenditures - 6 Month Budget to Actual](#)

[Infrastructure Fund Revenues - 6 Month Budget to Actual](#)

[Infrastructure Fund Expenditures - 6 Month Budget to Actual](#)

[Internal Improvements \(Gas Tax\) Fund Revenues - 6 Month Budget to Actual](#)

[Internal Improvements \(Gas Tax\) Fund Expenditures - 6 Month Budget to Actual](#)

[Fort Taylor Surcharge Fund Revenues - 6 Month Budget to Actual](#)

[Fort Taylor Surcharge Fund Expenditures - 6 Month Budget to Actual](#)

[Affordable Housing Fund Revenues - 6 Month Budget to Actual](#)

[Affordable Housing Fund Expenditures - 6 Month Budget to Actual](#)

[Truman Waterfront Fund Revenues - 6 Month Budget to Actual](#)

[Truman Waterfront Fund Expenditures - 6 Month Budget to Actual](#)

[Community Fund \(AIPP\) Revenues - 6 Month Budget to Actual](#)

[Community Fund \(AIPP\) Expenditures - 6 Month Budget to Actual](#)

[Transportation Alternative Fund Revenues - 6 Month Budget to Actual](#)

[Transportation Alternative Fund Expenditures - 6 Month Budget to Actual](#)

[Law Enforcement Trust Fund Revenues - 6 Month Budget to Actual](#)

[Law Enforcement Trust Fund Expenditures - 6 Month Budget to Actual](#)

[Capital Projects Fund Revenues - 6 Month Budget to Actual](#)

[Capital Projects Fund Expenditures - 6 Month Budget to Actual](#)

[Sewer Fund Revenues - 6 Month Budget to Actual](#)

[Sewer Fund Expenditures - 6 Month Budget to Actual](#)

[Stormwater Utility Fund Revenues - 6 Month Budget to Actual](#)

[Stormwater Utility Fund Expenditures - 6 Month Budget to Actual](#)

[Solid Waste Fund Revenues - 6 Month Budget to Actual](#)

[Solid Waste Fund Expenditures - 6 Month Budget to Actual](#)

[Key West Bight Fund Revenues - 6 Month Budget to Actual](#)

[Key West Bight Fund Expenditures - 6 Month Budget to Actual](#)

[Transit System Fund Revenues - 6 Month Budget to Actual](#)

[Transit System Fund Expenditures - 6 Month Budget to Actual](#)

[Garrison Bight Fund Revenues - 6 Month Budget to Actual](#)

[Garrison Bight Fund Expenditures - 6 Month Budget to Actual](#)

[Insurance Fund Revenues - 6 Month Budget to Actual](#)

[Insurance Fund Expenditures - 6 Month Budget to Actual](#)

[Bahama Village TIF Fund Revenues - 6 Month Budget to Actual](#)

[Bahama Village TIF Fund Expenditures - 6 Month Budget to Actual](#)

[Caroline Street TIF Fund Revenues - 6 Month Budget to Actual](#)

[Caroline Street TIF Fund Expenditures - 6 Month Budget to Actual](#)

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 *April 13, 2021

Attachments: [Minutes](#)

RESOLUTIONS

8 *Authorizing the City of Key West to join with the State of Florida and other local governmental units as a participant in the Florida Memorandum of Understanding and Formal Agreements implementing a Unified Plan (for opioid settlement); Authorizing the City Manager to execute all related documents upon the advice and consent of the City Attorney; Authorizing the City Clerk to provide certified copies of this Resolution to the Florida League of Cities and the Florida Attorney General.

Sponsors: Mayor Johnston

Attachments: [Resolution](#)

[Memo from Office of Attorney General](#)

[Proposed Memorandum of Understanding](#)

[Supporting Informatiton](#)

- 9 *Appointing Robert R. Chinnis to the Key West Contractors Examining Board.
- Sponsors:** Mayor Johnston
- Attachments:** [Resolution](#)
- [Resume](#)
- [Roofing License](#)
- 10 *Rescinding Resolution No. 17-055, which provided a recommendation on the roadway design option for A1A/South Roosevelt Boulevard to the Florida Department of Transportation (FDOT); Providing a new recommendation for design of the project segment from Bertha Street to the east end of Smather's Beach to Complete Street Standards with an undivided 3-lane roadway including center turn lane and continuous bike lanes in both directions; Stating that this recommendation should be followed only if it does not compromise the current schedule or funding of FDOT Project 2505488 - SR A1A/South Roosevelt Boulevard between Bertha Street and the east end of Smather's Beach.
- Sponsors:** Commissioner Hoover
- Attachments:** [Resolution](#)
- [Res 17-055](#)
- [Public Comment - Massicotte](#)
- [Public Comment - Wigle](#)
- [Public Comment - Tidball](#)
- 11 *Adopting amended Rules of Procedure for City Commission Meetings to allow public comment related to presentations; Providing that this Resolution supercedes prior resolutions regarding Rules of Procedure for City Commission Meetings.
- Sponsors:** Vice Mayor Kaufman
- Attachments:** [Resolution](#)
- [Res 19-069 10-021 08-063 and 98-331 Commission Procedures](#)

- 12 *Directing the City Manager to work with the principals of the Frederick Douglass Black Educators Memorial to locate an appropriate space to develop and operate a museum primarily dedicated to the historically black Key West and Bahama Village families and individuals who have made significant contributions to the long history of Key West; Requesting the Frederick Douglass Black Educators Memorial to develop and present a proposal for the establishment of this museum, including a plan for its operation and sustainability.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)

- 13 *Designating the "Kermit 'Shine' Forbes Building" located at the Truman Waterfront Public Works Facility.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)

- 14 *Authorizing City staff to negotiate with the United States Navy, United States Coast Guard and related government agencies to relocate the tower located at Truman Waterfront to accommodate the construction of affordable housing.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)

- 15 *Approving the proposed Settlement Agreement in Stephen Schumann and Laurie Margolin vs. The City of Key West, Monroe County Circuit Court Case No.: 2019-CA-1000-K in the amount of \$200,000.00; Authorizing the City Manager to execute all settlement documents upon the advice and consent of the City Attorney.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)

[Case Summary for Public](#)

[Settlement Agreement](#)

[Release](#)

- 16 *Authorizing the Key West Police Athletic League, Inc. to conduct a Mango Fest at Bayview Park on Saturday, June 26, 2021 from 7:00 A.M. to 4:00 P.M.; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the sale and consumption of alcohol beverages within the enclosed area.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Application](#)

[Safety Plan](#)

- 17 *Approving issuance of Task Order No. 9 to Black & Veatch Corporation for Engineering Evaluation and Design Services for replacement of activated sludge pumps at the Richard A. Heyman Environmental Protection Facility in an amount not to exceed \$92,813.00; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive summary](#)

[Task order no. 9 proposal](#)

[Resolution 17-207](#)

[Contractor agreement](#)

[Res 20-142 Contract Renewal](#)

- 18 *Approving a change order to provide additional bypass pumping at Pump Station D in the amount of \$25,764.02 (from \$156,403.245 to \$182,167.26), pursuant to Section 2-845(a) of the Code of Ordinances; Authorizing necessary budget transfers.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Change Order Documentation](#)

[Resolution 15-292](#)

[Resolution 18-322](#)

[Resolution 20-121](#)

[Contract - Charley Toppino & Sons, Inc.](#)

- 19 *Approving the attached "First Amendment to Interlocal Agreement for Engineering Design, Permitting and Construction Services for Dennis Street Pump Station (Key West) Project" between Monroe County and the City of Key West; Authorizing any necessary budget adjustments.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 20-050 Interlocal Agreement Dennis Street County](#)

[1st Amendment to ILA Dennis Street Pump Station -signed](#)

- 20 *Approving three proposals from Raftelis Financial Consultants, Inc., in an amount not to exceed \$60,000.00 to provide utility rate models for preparation of the City's FY 2021-22 sewer, stormwater and solid waste budget.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Key West Sewer Rate Model Update Proposal Letter](#)

[Key West Solid Waste Financial Model Update Proposal Letter](#)

[Key West Stormwater Rate Model Update Proposal Letter](#)

- 21 *Ratifying an Emergency Procurement dated April 19, 2021 approved by the Interim City Manager as provided for under Section 2-797(2) of the Code of Ordinances, authorizing a Task Order in an amount not to exceed \$128,339.87 for Charley Toppino & Sons, Inc. to repair 25 manholes on North Roosevelt Boulevard; Authorizing an necessary budget transfers.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Emergency Declaration Signed PM](#)

- 22 *Authorizing the purchase of 450 sewer manhole "Inflow Defender" rain pans from USSI, LLC on a brand name, sole source basis, and in the best interests of the City, pursuant to Section 2-844, 2-797(1) and 2-797(4)(b) of the Code of Ordinances, in a total amount not to exceed \$76,747.50.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[City of Key West Inflow Defender Estimate from USSI](#)

[Inflow Defender Max sole source - Oversized Inflow Dish](#)

- 23 *Authorizing the procurement of smoke testing/inflow & infiltration testing services, from USSI, LLC in an amount not to exceed \$104,180.00, by piggybacking on a government contract between USSI, LLC and the Toho Water Authority Bid #IFB-202-076, pursuant to Section 2-797(3) and Section 2-797(4)(b) of the Code of Ordinances; Authorizing necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[City of Key West Smoke Testing Proposal](#)

[USSI 2020 Piggyback Package Pricing](#)

- 24 *Awarding the proposal of Tetra Tech, Inc. in response to Request for Proposals (RFP) No. 003-21 for debris removal monitoring services; Authorizing the City Manager to negotiate and execute a contract in conformance with the RFP documents, upon advice and consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary 003-21](#)

[RFP 003-21 Final](#)

[Tetra Tech Proposal RFP#003-21](#)

- 25 *Approving the Supplemental Fee Agreement in the amount of \$6,011.30 to the Task Order between the City and EAC Consulting, Inc. (EAC) for development of procurement documents for the Southard Street Improvements Project (from \$20,000 to \$26,183.40), pursuant to Section 2-845(a) of the Code of Ordinances; Authorizing any necessary budget adjustments and transfers; Authorizing the City Manager or designee to execute documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[EAC Task Order](#)

[EAC Supplemental](#)

[Resolution 17-207](#)

[Resolution 20-142](#)

[LAP Construction Checklist](#)

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*Adopting and approving the attached "City of Key West Transit Department Substance Abuse Management Policy Plan" revision of 2021 (SAMS); Authorizing the City Manager or designee to execute the SAMS and submit same to the U.S. Department of Transportation.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[2021 Substance Abuse Management Policy](#)

27

Proposed to be Postponed:

*Approving a temporary exemption to certain provisions of the Sound Control Ordinance, pursuant to Section 26-199 of the Code of Ordinances, for DL Porter Constructors, Inc. for 201 William Street spalling and structural repair for up to 180 calendar days.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Advertisement and Notice](#)

[Citizen Newspaper Public Notice](#)

- 28 *Approving the attached "Public Transportation Amendment to the Public Transportation Agreement" (PTGA) FM 444447-1-94-01 between the Florida Department of Transportation (FDOT) and the City of Key West for the Mallory T-Pier Extension/Improvements Project to add Fiscal Year 2021 funding of \$521,835.00 with a \$173,945.00 City match (\$695,780.00 total); Approving necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Amendment 2](#)

[Resolution 19-129](#)

[Resolution 19-363](#)

[Public Comment - HaskellE](#)

[Public Comment - Martini](#)

[Public Comment - Marquardt](#)

[Public Comment - HaskellA](#)

[Public Comment - HaskellA2](#)

Legislative History

3/2/21	City Commission	Postponed
3/31/21	City Commission	Postponed

ORDINANCES - FIRST READING

- 29 **Current Ordinance is under revision to accommodate new CDC Guidelines**
An Uncodified Ordinance of the City of Key West, Florida, amending Ordinance 21-07 to mandate that individuals wear a face covering in public with certain exceptions; Declaring this Ordinance to be an emergency measure; providing for penalties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective and sunset date.

Sponsors: Mayor Johnston

Attachments: [Ordinance 21-07](#)

[Public Comment - Dr. Whiteside](#)

ORDINANCES - SECOND READING (Public Hearing)**30**

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.

Sponsors: City Manager McLauchlin

Attachments: [Ordinance](#)

[Executive Summary](#)

Legislative History

4/13/21

City Commission

Passed to Second Reading

CITIZEN COMMENTS**COMMISSION COMMENTS****ADJOURNMENT**