



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, August 2, 2022

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.

FOR VISUAL PRESENTATIONS: Individuals are responsible to share their presentation at the meeting on their laptop through Zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

CALL MEETING TO ORDER - 5:00 P.M.

ROLL CALL

Absent 3 - Commissioner Davila, Commissioner Wardlow and Commissioner Weekley

Present 4 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez and Mayor Johnston

INVOCATION - Father John Baker, The Basilica of Saint Mary Star of the Sea

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The agenda was unanimously approved as amended

RESOLUTIONS

1

Quasi Judicial Hearing**Major Development Plan - 255 Trumbo Road (RE#**

00001720-000200) - Granting Major Development Plan Approval for property located at 255 Trumbo Road (RE#00001720-000200) for construction of a twenty-four (24) unit affordable housing development and a one-story nonresidential structure with a building area of approximately 889 SF., Located in the Historic Residential Commercial Core - Key West Bight (HRCC-2) Zoning District; Pursuant to Section 108-91(A)(2), of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Revised Planning Package 7.19.22](#)
[HARC Decision Letter and Signed COA](#)
[255 Trumbo Final Landscape Plan Approval 7-5-22](#)
[PB RES 2022-032 255 Trumbo Rd MDP & CUP](#)
[Presentation](#)
[Staff Report](#)
[Revised Planning Package](#)
[Urban Forestry Sec 108 Review](#)
[Letter from Sheriff Ramsey](#)
[MCSO Response](#)
[Noticing Package](#)
[DRC Planning Package](#)
[Keys Energy Comments](#)
[Utilities Comments](#)
[Multimodal Transportation Comments](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by unanimous vote.

Enactment No: Res 22-161

PROCLAMATIONS

2 Miami Marlins

Sponsors: Vice Mayor Kaufman

Attachments: [Proclamation](#)

Received and Filed

3 United States Coast Guard Day

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS**4 Florida Keys National Marine Sanctuary - Sarah Fangman, Superintendent**

Attachments: [Presentation](#)

Received and Filed

5 Legislative Priorities - Joseph Salzverg, Gray Robinson, P.A.

Sponsors: City Manager McLauchlin

Received and Filed

6 Waste Management Rate Increase - Greg Sullivan

Sponsors: City Manager McLauchlin

Received and Filed

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 *July 6, 2022

Attachments: [Minutes](#)

Passed

RESOLUTIONS - Cont'd

8 *Appointing Kathleen E. (Kathy) Marshall to the Key West Civil Service Board.

Sponsors: Mayor Johnston

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

Passed

Enactment No: Res 22-162

9 *Authorizing "Key West Half Marathon LLC" to conduct their 25th Annual Key West Half Marathon and 5K Run starting with a registration on Friday, January 13, 2023 from 3:00 P.M. to 5:00 P.M. and Saturday, January 14, 2023 from Noon to 6:00 P.M. and the Half Marathon on Sunday, January 15, 2023 starting at 7:00 A.M. (set up 6:00 A.M.) and a 5K on Sunday, January 15, 2023 at 7:30 A.M. and ending at 1:00 P.M. at the Half Shell Raw Bar 231 Margaret St; Authorizing certain street closures thereof during the event; Granting a Special Event permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 A.M. to 7:30 A.M; Authorizing the sale and consumption of alcoholic beverages within the enclosed area. Pursuant to Terms and Conditions set forth by the City Manager.

Sponsors: City Manager McLauchlin

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

Passed

Enactment No: Res 22-163

10

*Approving the attached "Amendment Two to Local Option Gas Tax Sharing Interlocal Agreement" between Monroe County, the City of Key West, the City of Key Colony Beach, the City of Layton, the City of Marathon and the City of Islamorada, Village of Islands; Authorizing the Mayor to execute the Agreement upon consent of the City Attorney, and contingent upon approval of the related "Supplemental Gas Tax Interlocal Agreement".

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Amendment Two to Gas Tax Sharing ILA](#)
[Resolution 20-175](#)
[Resolution 09-108](#)

Passed

Enactment No: Res 22-164

11

*Approving the attached "Supplemental Gas Tax Interlocal Agreement" between the City of Key West and Monroe County.

Attachments: [Resolution](#)
[Executive Summary](#)
[Supplemental Gas Tax ILA](#)
[Amendment Two to Gas Tax Sharing ILA](#)
[Resolution 20-175](#)
[Resolution 09-108](#)

Passed

Enactment No: Res 22-165

12

*Ratifying and approving the attached Safe-School Officer Agreement between the City of Key West and the School Board of Monroe County Florida (MCSD) for the Safe-School Officer Program at Key West High School, Gerald Adams Elementary, Horace O'Bryant School, Poinciana Elementary, Sigsbee Charter School and one rotating position for the 2022-2023 school year; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[MCSD Agenda Item](#)
[2022-2023 Mutual Aid Agreement](#)

Passed

Enactment No: Res 22-166

13

*Approving Task Order 6-22 for Jacobs Engineering Group in an amount not to exceed \$59,893.68 to prepare a Wastewater Facility Permit Renewal Application and Reports, contingent upon approval of an extension of the City's contract with Jacobs Engineering through December 2022; 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 McLauchlin

Attachments: [Resolution](#)
[Executive Summary](#)
[Task Order & Master Agreement](#)
[Res 20-142 General Engineering Services](#)
[Res 21-006_Merger CH2M Hill Jacobs Engineering Grp](#)
[WWTP Permit FLA147222-014](#)

Passed

Enactment No: Res 22-167

- 14 *Ratifying and approving budget transfers and adjustments in FY 2021-22 totaling \$200,000.00 from General Fund General Reserves Account to General Fund/Fleet Services/Fuel (PO 095568 Sunshine Gasoline Distributors, Inc.) to provide for fuel supplies for City vehicles pursuant to SEction 2-739(b) of the Code of Ordinances.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Emergency Increase and Budget Transfer](#)

Passed

Enactment No: Res 22-168

- 15 *Approving the attached 'Sovereignty Submerged Land Lease Renewal and Modification to Reflect Updated Survey, Incorporate Two Permits and Remove Two Special Lease Conditions' (Action No. 45259, BOT File 440027185, PA No. 44-0137939-005) between the City of Key West and the Board of Trustees of the Internal Improvement Trust fund of the State of Florida for the Key West Bight Area, effective April 1, 2022 through May 15, 2031; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [KW Bight Resolution 22-06](#)
 [SSL BOT File 440027185](#)
 [Res. 11-322 \(BOT 440027185\)](#)

Passed

Enactment No: Res 22-169

- 16 *Authorizing the purchase from Stryker Medical Forty (40) Lifepak CR2 AEDS with pads and related accessories, pursuant to Code of Ordinances Section 2-797(4)(b) Best Interests, for the Key West Police Department in an amount not to exceed \$63,238.00; Authorizing any necessary budget amendments or adjustments.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Strkyer AED Quote](#)
 [American AED Quote](#)
 [StopHeartAttack Quote](#)

Passed

Enactment No: Res 22-170

- 17 *Renewing through December 31, 2022 the General Engineering Services Contract with nine (9) firms, originally awarded in Resolution 17-207, and extended in Resolution 20-142, pursuant to Section 2-797(4)(b) of the Code of Ordinances; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Res 17-207 Approve Gen Eng Svcs](#)
 [Res 20-142 Renew Gen Eng Svcs](#)
 [Artibus-Acceptance](#)
 [Black and Veatch-Acceptance](#)
 [CH2M Hill-Acceptance](#)
 [EAC-Acceptance](#)
 [KCI-Acceptance](#)
 [Perez-Acceptance](#)
 [Stantec-Acceptance](#)
 [TY Lin-Acceptance](#)
 [Wood-Acceptance](#)

Passed

Enactment No: Res 22-171

Approval of the Consent Agenda

A motion was made to Approve the Consent Agenda. The motion was carried unanimously.

ORDINANCES - SECOND READING (Public Hearing)

- 18 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by creating Article V. Division 12. entitled "Parks and Recreation Advisory Board", by adding Section 2-610 through 2-613 in order to establish the Board; Providing for its creation, composition and terms, meetings and duties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Kaufman

Attachments: [Ordinance](#)
 [Res 18-324](#)

A motion was made by Commissioner Hoover, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion passed by unanimous vote.

Enactment No: Ord 22-21

- 19 An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by creating Article XIV entitled "Residential Tenancies"; By creating Article 1 entitled "Notice"; By creating Section 18-710 entitled "Written Notice Required"; By creating Section 18-711 entitled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions.

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

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

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Clayton Lopez, adopting the findings outlined in the Ordinance and that the Ordinance be Adopted. The motion passed by unanimous vote.

Enactment No: Ord 22-22

20

An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances, entitled "Environment" by adding Sections 26-71 through 26-72 to provide regulations and permits for wedding ceremonies on the beach; Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLauchlin

Attachments: [Ordinance](#)
[Executive Summary](#)
[Exhibit A - Site Locations](#)
[Exhibit B- Proposed Fee Schedule](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Ordinance be Postponed to September 20, 2022. The motion passed by unanimous vote.

21

An Ordinance of the City of Key West, Florida, amending Chapter 86 of the Code of Ordinances, entitled "General Provisions" by amending Section 86-9, entitled "Definition of Terms" to amend the definitions 'Building Coverage' and 'Open Space' and 'Variance'; by amending Chapter 122 of the Code of Ordinances, entitled "Zoning" by amending Section 122-32 by clarifying when a variance is needed; and amending Section 122-1143, entitled "Impervious Surface Requirements for All Uses", and Section 122-1145, entitled "Required Yards"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager McLauchlin

Attachments: [Ordinance](#)
[Executive Summary](#)
[PB RES 2022-026 VAR Text Amendment](#)
[Staff Report](#)
[Revised Proposed Ordinance](#)
[Staff Report 4.21.22](#)
[Proposed Ordinance 4.22.22](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Lopez, that the Ordinance be Postponed to August 16, 2022. The motion passed by unanimous vote.

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 6:24 P.M.