City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Mayor Danise Henriquez
Vice Mayor Donald "Donie" Lee
Commissioner Lissette Carey
Commissioner Aaron Castillo
Commissioner Monica Haskell
Commissioner Mary Lou Hoover
Commissioner Sam Kaufman

Charter Officials

Brian L. Barroso, City Manager
Kendal Harden, Interim City Attorney
Keri O'Brien, City Clerk

Wednesday, September 3, 2025 **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

CALL MEETING TO ORDER - 9:00 A.M.

ROLL CALL

Absent 1 - Commissioner Hoover

Present 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

INVOCATION - The Very Reverend Donna Mote

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN COMMENTS

APPROVAL OF AGENDA

The agenda was unanimously approved as amended

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 *July 22, 2025 (Budget Workshop)

Attachments: Minutes

Passed

2 *July 23, 2025 (Budget Workshop)

Attachments: Minutes

Passed

3 *July 23, 2025 (Special)

Attachments: Minutes

Passed

4 *August 6, 2025 (Regular)

Attachments: Minutes

Passed

RESOLUTIONS

5 *Authorizing Bourbon Street Pub, Inc. to conduct a "New Year's Eve Shoe Drop New Queen Contest" at 724 Duval Street on Saturday, October 4, 2025, from 7:00 P.M. to 11:00 P.M. (Set-up at 5:00 P.M.); Pursuant to terms and conditions set forth by the City Manager; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-222

6 *Authorizing the Key West Southernmost Runners Club to hold the Duval Mile Run on Saturday, October 11, 2025 from 6:00 P.M. to 7:00 P.M. (Set-up at 5:00 P.M.) on Duval Street; Authorizing the closure of certain streets or portions thereof for said race from 5:00 P.M. to 7:00 P.M.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-223

7 *Granting a Special Event Permit to Florida Keys Media to conduct the Pet Masquerade at the Truman Waterfront Amphitheater as a fundraiser for the Monroe County Sheriff's Office Animal Farm on Wednesday, October 22, 2025, from 5:00 P.M. to 9:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-224

8 *Authorizing the Key West Business Guild, Inc. to conduct the Annual Headdress Ball at the Truman Waterfront Coffee Butler Amphitheater on Thursday, October 23, 2025 from 6:30 P.M. to 11:00 P.M; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within an enclosed area.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-225

9 *Granting a Special Event Permit to Conch Republic Seafood Company to conduct the Florida Powerboat Club's 33rd Annual Poker Run Village at the 631 Greene Street parking lot and adjacent gravel lot on Wednesday, November 5, 2025, through Sunday, November 9, 2025 from 11:00 A.M. to 11:00 P.M.; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances from 11:00 A.M. to 11:00 P.M. on Wednesday, November 5, 2025, through Sunday, November 9, 2025.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-226

10 *Authorizing Hogs Breath Saloon to hold the "31st Annual Hog Trot 5K" on Saturday, November 29, 2025, from 8:00 A.M. to 9:30 A.M. (set-up at 5:00 A.M.) within the streets of Key West; Authorizing the closure of certain streets or portions thereof for said race from 8:00 A.M. to 9:30 A.M.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-227

11 *Authorizing the Key West Art Center, Inc. to conduct the Key West Art & Craft Festival on Saturday, February 21st & Sunday, February 22, 2026 (set-up Friday, February 20, 2026), during the hours of 10:00 A.M. to 5:00 P.M. at the Truman Waterfront Quay Wall; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-228

12 *Authorizing Mote Marine Laboratory, Inc. to conduct "Mote Marine Lab's Ocean Fest" at Truman Waterfront Major Field by the splash pad on Saturday, April 25, 2026, from 11:00 A.M. to 4:00 P.M (set-up on Friday, April 24, 2026); Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the barricaded area; Granting an exemption from the Noise Control Ordinance pursuant to Section 6-86 of the Code of Ordinances, City of Key West, Florida.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

Passed

Enactment No: Res 25-229

13 *Ratifying the emergency purchase and installation of an artificial turf field at the Coffee Butler Amphitheater by Turf Guys Miami, LLC, in an amount not to exceed $386,652.99 through the Sourcewell Contract, without formal competitive procurement under Section 2-797(2), 2-797(3) and 2-797(4) of the Code of Ordinances of the City of Key West, Florida; Authorizing the City Manager to execute any necessary budget transfers, adjustments or other related documents, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Community Serv)
Declaration of Emergency
Turf Guys Proposal
Sourcewell AstroTurf Contract
Price Information
RFP and Addendum
Evaluation
Public Comment - Weekley

Passed

Enactment No: Res 25-230

14 *Approving the attached Task Order with Charley Toppino & Sons, Inc. in a total amount not to exceed $290,594.03 for improvements to the gravel parking area at Smathers Beach; Authorizing the City Manager to execute necessary documents, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Engineering)
Task Order
Parking Location

Passed

Enactment No: Res 25-231

15 *Approving the attached "State of Florida Department of Environmental Protection Standard Grant Agreement" Beach Management Funding Assistance Grant 26MO1, City of Key West, for the Smathers Beach Nourishment and Monitoring Project in an amount not to exceed $880, 207.00 ($880,227.00 City Match); Authorizing the City Manager to execute necessary documents upon consent of the City Attorney; Authorizing approval and execution of subsequent amendments to the Grant Agreement which may adjust grant funding allocations to the City or modify the project scope and period of performance upon consent of the City Attorney; Authorizing necessary budget amendments and transfers to accept the funding.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Finance/Grants)
Grant Agreement
Funds Awarded Email
Grant Application

Passed

Enactment No: Res 25-232

16 *Awarding RFP #25-017 to Waste Management Inc. of Florida to provide sludge transportation and disposal services for the City of Key West, Florida; Authorizing the City Manager, or designee, to negotiate and execute a contract with Waste Management Inc. of Florida for an initial term of three (3) years, commencing upon execution, and to execute any related documents, administrative actions, budget transfers / adjustments or contract modifications necessary for implementation of the contract, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Finance/Procurement)
Bid Memo
Bid Documents
Waste Management Proposal
Correspondence

Passed

Enactment No: Res 25-233

17 *Approving the ratification of the purchasing exemption for a Change Order executed by the City Manager on June 6, 2025 to Florida Keys Security, LLC in the amount of $75,000, for a total contract amount not to exceed $125,000.00, to maintain temporary private security services for the Key West Historic Seaport and City Marina at Garrison Bight until a contract can be approved, pursuant to Sec. 2-797 of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Port and Marina)
Executed Purchase Exemption
Executed Contract
KWBB Resolution 25-19

Passed

Enactment No: Res 25-234

18 *Acknowledging and accepting for consideration the recommendations from the Sustainability Advisory Board set forth in "SAB Resolution 25-01".

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Resiliency)
SAB Resolution 25-01

Passed

Enactment No: Res 25-235

19 *Approving one (1) policy-year renewal to the City's current Agreement with Relation Insurance Services of Florida, Inc. to provide third party claims administration services for policy year 2025/2026 (10/1/2025 - 9/30/2026) pursuant to Section V of the current Agreement which provides the City the option to exercise two (2) one (1) policy-year renewals; Authorizing the City Manager to execute all necessary related documents and budget transfers / approvals, with the approval of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Risk Management)
Bid Documents
Original Agreement
Resolution 22-206

Passed

Enactment No: Res 25-236

20 *Approving the attached "Public Transportation Grant Agreement" (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Fiscal Year (SFY) 2026 State Transit Block Grant for the transit bus service, in the City of Key West (PTGA #G3F98/FM #436702-7-84-01) in a reimbursement amount of up to $286,372 in operating assistance (50% of total project cost of $572,744); Authorizing the City Manager to execute any necessary budget transfers and documents, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Transportation)
Grant Agreement
Resolution 25-138

Passed

Enactment No: Res 25-237

21 *Approving the attached Public Transportation Grant Agreement (PTGA) between the Florida Department of Transportation (FDOT) and the City of Key West for State Fiscal Year (SFY) 2026 Commuter Assistance Grant Program for the Lower Keys Shuttle (PTGA #G3G06/FM#415173-7-84-01) in a reimbursement amount of up to $750,000.00 in operating assistance (50% of total project cost of $1,500,000.00); Authorizing the City Manager to execute any necessary budget transfers and documents, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Transportation)
Grant Agreement
Resolution 25-138

Passed

Enactment No: Res 25-238

22 *Approving the attached "Public Transportation Grant Agreement" (PTGA) #G2M70 Amendment 3, FM#452158-1-84-01, #452158-1-84-02, #452158-1-84-03 between the Florida Department of Transportation (FDOT) and the City of Key West, to increase the Grant Award from $500,000 to $785,000, reflecting an increase amount of $285,000, to be used for the Key West Rides On-Demand Bus Service in Key West and Stock Island; Authorizing the City Manager to execute necessary documents and effectuate any necessary budget amendments.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Transportation)
Amendment 3
Resolution 24-175
Resolution 25-138

Passed

Enactment No: Res 25-239

23 *Ratifying the Emergency Procurement of Services from Reynolds Construction of Florida, LLC in the amount of $93,829.38 to suppress the two (2) deep injection wells at the Wastewater Treatment Facility; Authorizing the City Manager to execute any necessary documents and budget transfers / adjustments, upon the consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Utilities)
Emergency Procurement Memo
Proposal
Resolution 24-230

Passed

Enactment No: Res 25-240

24 *Approving the attached Fifth Amendment to the Operation, Maintenance, and Management Services Agreement with OMI, for the City of Key West Wastewater Facilities, deleting Paragraph 3.2.7.b and 3.2.7.c of the Agreement; Authorizing the City Manager to execute any budget transfers / adjustments or necessary documents, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Utilities)
Proposed 5th Amendment
Original Agreement 2014
Amendment 1
Amendment 2
Amendment 3
Amendment 4

Passed

Enactment No: Res 25-241

25 *Approving the annual adjustment of solid waste tipping and dumping fees charged at the Rockland Key Transfer Station increasing the fees for Fiscal Year 2025-2026 by 2.7% effective October 1, 2025 pursuant to Section 58-67 of the Code of Ordinances of the City of Key West, Florida; Authorizing the City Manager to execute any documents, administrative actions and budget transfers / adjustments necessary for implementation, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Utilities)

Passed

Enactment No: Res 25-242

Approval of the Consent Agenda

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

PROCLAMATIONS

26 Childhood Cancer Awareness Month

Sponsors: Mayor Henriquez

Attachments: Proclamation

Received and Filed

27 National Diaper Needs Awareness Week

Sponsors: Mayor Henriquez

Attachments: Proclamation

Received and Filed

28 Sheila Mullins Day: Adding her name to the signage at the Key West Nature Preserve

Sponsors: Commissioner Haskell

Attachments: Proclamation

Received and Filed

PRESENTATIONS

29 City of Key West Employee Service Awards - Bridget Flores, Director of Human Resources

Sponsors: City Manager Barroso

Attachments: Cover Memo

Received and Filed

RESOLUTIONS

30 Authorizing WeCycle, Inc. and the Key West Art & Historical Society, Inc. to conduct the annual Zombie Bike Ride event starting at Fort East Martello and ending on the 100, 200 & 300 blocks of Duval Street on Sunday, October 19, 2025, from 6:00 P.M. to 11:59 P.M; Pursuant to the terms and conditions set forth by the City Manager; Authorizing the closure of the 100, 200 & 300 blocks of Duval Street on Sunday, October 19, 2025 from 8:00 P.M. to 11:59 P.M.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo
Application & Approvals

A motion was made by Commissioner Castillo, seconded by Vice Mayor Lee, that the Resolution be Passed. The motion carried by the following vote:

Recuse: 2 - Commissioner Haskell and Commissioner Kaufman

Absent: 1 - Commissioner Hoover

Yes: 4 - Commissioner Carey, Commissioner Castillo, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-243

31 Requesting the Monroe County Land Authority (MCLS) to proceed with disbursing $1,382,856 to the Housing Authority of the City of Key West, Florida (KWHA), constructing funding for the Poinciana Gardens Conversion Project; Requesting that MCLA disburse said funding in FY 25/26; Authorizing the City Manager to execute any necessary documents, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Finance)
Resolution 21-008
Resolution 21-174
Resolution 24-255

A motion was made by Vice Mayor Lee, seconded by Commissioner Castillo, that the Resolution be Passed. The motion carried by the following vote:

No: 1 - Commissioner Kaufman

Absent: 1 - Commissioner Hoover

Yes: 5 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-244

32 Awarding RFP #25-016 to Waste Management Inc. of Florida to provide solid waste transportation, disposal and recycling services for the City of Key West, Florida; Authorizing the City Manager or designee to negotiate and execute a Contract with Waste Management Inc. of Florida for an initial two-year term, commencing upon execution, and to execute any related documents, administrative actions, budget transfers/adjustments, or contract modifications necessary for implementation of the Contract, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Finance/Procurement)
Bid Memo
Bid Documents
Waste Management Proposal

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Resolution be Passed. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-245

33 Approving the Memorandum of Understanding between the State of Florida Department of Transportation (FDOT) and the City of Key West, Florida regarding FDOT Resiliency / Flooding Mitigation Project FM#454101-1 (The "Resiliency Project") at the intersection of SR 5 / North Roosevelt Boulevard / Truman Avenue and Jose Marti Drive; Authorizing the City Manager to execute any necessary documents and related budget transfers / adjustments, upon consent of the City Attorney.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Intergovernmental)
Draft MOU
Exhibit A
Proposed Location
Scope Description
Project Schedule
FDOT Meeting Minutes - August 12
Fact Sheet

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Resolution be Passed. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-246

34 Approving the recommendation of the Advisory Screening Committee to Select a City Attorney set forth is its Resolution #25-02, selecting Mayanne Downs to serve as City Attorney for the City of Key West, Florida on a month to month basis for a period of twelve (12) to eighteen (18) months; Authorizing the Interim City Attorney to negotiate an Employment Agreement for approval by City Commission; Authorizing the City Manager to execute budget transfers / adjustments or modifications necessary for implementation.

Sponsors: Interim City Attorney Harden

Attachments: Resolution
CA Committee Resolution 25-02

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Resolution be Passed. The motion carried by the following vote:

No: 1 - Commissioner Kaufman

Absent: 1 - Commissioner Hoover

Yes: 5 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-247

DISCUSSION

35 Transfer of Higgs Beach Property to City of Key West

Sponsors: City Manager Barroso

Attachments: Cover Memo
Higgs Beach Property

Discussed

CITY MANAGER'S REPORT

36 Department Reports

Sponsors: City Manager Barroso

Attachments:
July 2025 Building
July 2025 Code Enforcement and Licensing
July 2025 Community Services
July 2025 Engineering
July 2025 Finance
July 2025 Fire
July 2025 Housing and Community Development
July 2025 Human Resouces
July 2025 Information Technology
July 2025 Parking
July 2025 Planning
July 2025 Police
July 2025 Port Marine Services
July 2025 Propery Management
July 2025 Public Information
July 2025 Transit
July 2025 Utilities

Received and Filed

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

COMMISSION COMMENTS

RECESS - 11:20 A.M.

EVENING SESSION

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

ROLL CALL

INVOCATION - The Very Reverend Donna Mote

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

APPROVAL OF AGENDA

The agenda was unanimously approved as amended

RESOLUTIONS

37 Directing the City's Attorney to pursue an Injunction, if necessary, through outside counsel, Howard Dubosar, immediately following the decision of the Administrative Hearing and prior to the removal of the crosswalks; Authorizing the City Manager to effectuate all necessary budget amendments or transfers.

Sponsors: Commissioner Kaufman

Attachments: Amended Resolution - Evening Session
Resolution

During the morning session's agenda approval, this item was unanimously approved to be heard as the first item during the evening session.

A motion was made by Commissioner Kaufman, seconded by Commissioner Haskell, to pass the Resolution as presented. That motion failed with Commissioners Carey, Castillo, Vice Mayor Lee, and Mayor Henriquez voting No and Commissioners Haskell and Kaufman voting Yes.

Then, a motion was made by Vice Mayor Lee, seconded by Commissioner Castillo, that if we (Key West) are found not to be in compliance on Friday (Administrative Hearing on 9/5) and directed to remove the crosswalks, staff is directed to take no further action against FDOT to retain the crosswalks. That motion carried with Commissioners Haskell and Kaufman voting No and Commissioners Carey, Castillo, Vice Mayor Lee, and Mayor Henriquez voting Yes.

Vice Mayor Lee made another motion, seconded by Commissioner Castillo, to direct staff to work collaboratively with the Key West Business Guild to identify a location or locations within the recently proclaimed "Gayborhood" and help facilitate the implementation of their plan to publicly and permanently express our pride that cannot be erased by the State. Additionally, direct staff to work with AIPP and to investigate accepting donations from the community to help defray costs.

The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-248

38 **Public Hearing:** Imposing Stormwater Service Assessments against certain real property within the City of Key West; Approving the Stormwater Assessment Roll for the Stormwater Service Assessments for Fiscal Year 2025-26.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Utilities)
Resolution 25-164
Public Comment - Pirozzolo
Public Comment - American Legion

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Resolution be Passed. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-249

39 **Quasi-Judicial Hearing: Major Development Plan - 1620 Truesdale Ct (RE# 00064740-000000) -** Granting Major Development Plan approval at 1620 Truesdale Ct. for the construction of an approximately 8,600 square foot structure to accomodate assisted living on property located within the Medium Density Residential-1 (MDR-1) Zoning District pursuant to Section 108-91, Section 108-413, Section 122-62, and Section 122-278 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Barroso

Attachments: Resolution
Cover Memo (Planning)
Planning Package
PB Resolution 2025-037
Tree Commission Package

A motion was made by Commissioner Castillo, seconded by Vice Mayor Lee, that the Resolution be Passed. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Res 25-250

40 **Request for Postponement by Applicant to December 2, 2025: Quasi-Judicial Hearing** Denying/Granting the Appeal by Owen Trepanier, on behalf of the property owner, Conch Republic PR, LLC, Upholding/Amending/Denying the Planning Board's Decision to approve Resolution No. 2025-031, filed July 24, 2025, effectively denying the BPAS allocation for 510 Southard Street, Key West, Florida; Finding that the Planning Board's decision was/was not made in accordance with procedural and substantive Land Development Regulations as well as the Comprehensive Plan.

Attachments: Resolution
Appeal
Large File - Supporting Documents A
Large File - Supporting Documents B

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Resolution be Postponed to November 5, 2025. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

DISCUSSION

41 Rainbow Crosswalk

Sponsors: Vice Mayor Lee

Withdrawn

ORDINANCES – FIRST READING

42 An Ordinance of the City Commission of the City of Key West, Florida, amending Section 2-199 Internal Auditor of Subpart A General Ordinances Chapter 2 Administration, Article IV Departments, to establish the position of Inspector General to report directly to the City Commission; Amending Article III Officers and Employees, to create Division V Inspector General, Section 2-161 through 2-168 of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Vice Mayor Lee

Attachments: Ordinance

A motion was made by Commissioner Kaufman, seconded by Vice Mayor Lee, that the Ordinance be Passed to Second Reading (with the understanding that legal will work to clarify certain sections and language). The motion carried by the following vote:

No: 2 - Commissioner Carey and Commissioner Castillo

Absent: 1 - Commissioner Hoover

Yes: 4 - Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

43 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, entitled "Administration," Article VI entitled "Code Compliance," Division 2 entitled "Special Magistrate Procedure" by amending Section 2-631, Definitions, Section 2-632, Findings and Purpose, Section 2-634 Special Magistrate, Section 2-636 Support Staff and Legal Counsel to Code Compliance, Section 2-637 Enforcement Procedure, Section 2-640, Hearing; Testimony, Section 2-643 Fine for Noncompliance or Repeat Violation; Costs of Repair, Section 2-646, Lien; Enforcement of Order; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Code Enforcement)

A motion was made by Commissioner Kaufman, seconded by Commissioner Castillo, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

44 An Ordinance of the City of Key West, Florida, amending Chapter 46, Section 107 of the Code of Ordinances to provide for an ad-hoc 2% ~~annual~~ cost of living adjustment to provide for an increase in the monthly benefit to $1,000 for retirees who retired with more than 20 years of service whose current monthly benefit is less than $1,000; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance - City Staff Proposed
Ordinance - Pension Board Proposal
Cover Memo - Updated - (Finance)
Cover Memo
Pension COLA Letter
Teamsters Support Letter
Updated COLA Study

A motion was made by Commissioner Castillo, seconded by Commissioner Kaufman, that the Ordinance (Staff Version) be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

45 An Ordinance of the City Commission of the City of Key West, Florida, amending and updating Sec. 74-387 Equivalent Stormwater Unit (ESU) the Annual Sewer Rate, of the Code of Ordinances in the City of Key West; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Utilities)
Business Impact Statement

A motion was made by Commissioner Castillo, seconded by Commissioner Haskell, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

46 An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled "Vehicles for Hire," Article I entitled "In General," by amending Section 78-5 Business License or Franchise Required for All Vehicles for Hire, Article II entitled "Passenger Vehicles For Hire," Section 78-62 Limits on Passenger Vehicle for Hire Licenses, Section 78-64, Independent Passenger Vehicle for Hire Licenses, Section 78-67 Revocation of Authorization to Operate a Wheelchair Accessible Vehicle, Division 3, entitled "Driver's Permit," Section 78-92 Requirements for Issuance, Section 78-93 Renewal, Section 78-94 Display, Section 78-95 Driver Actions Prohibited, Section 78-96 Receipts, Division 4 entitled "Vehicle License" Section 78-126 Required, Section 78-127 Display of Decal; Standby Vehicles, Section 78-128 Requirements for Issuance, Section 78-129 Requirements of Licensee, Section 78-130 Renewal, Section 78-132 Provisional License, Division 5 entitled "Rates and Charges," Section 78-161 Meters; Zones; Providing for Severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Licensing)
Business Impact Estimate

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

47 **Text Amendment of the Land Development Regulations** - An Ordinance of the City of Key West, Florida, to amend the Land Development Regulations Chapter 122, Division 5 entitled 'Specific Use Regulation' Subdivision IV entitled 'Home Occupations', Section 122-1306 entitled 'Conditions' and 122-1307 entitled 'Issuance of Permit'; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Planning)
PB Resolution 2025-020
Staff Report
Business Impact Estimate- Home occupation

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

48 An Ordinance of the City of Key West, Florida amending Sec. 58-31 Container and receptacle requirements and Sec. 58-32 Dumpsters on public right-of-way, Article II Collection and Disposal, Chapter 58 - Solid Waste to provide clarity; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Henriquez

Attachments: Ordinance
Cover Memo (Utilities)
Business Impact Statement

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-14

49 An Ordinance of the City of Key West, Florida amending Sec. 2-773(c)(1) and (2) - Permitted Communications, Chapter 2, Division 3, Subdivision 1 of the Code of Ordinances, City of Key West, Florida clarifying permitted written communications and procedures for written communications with vendors; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Interim City Attorney Harden

Attachments: Ordinance
Cover Memo (Procurement)

A motion was made by Commissioner Castillo, seconded by Commissioner Haskell, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-15

50 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, titled "Administration", by amending Article VII titled "Financial Matters"; by Amending Division 3 titled "Personal Property Purchasing and Procurement"; by amending Subdivision II titled Competitive Bidding, Section 2-797; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Revised Ordinance for Second Reading
Ordinance
Cover Memo (Finance)
Business Impact Statement

A motion was made by Commissioner Castillo, seconded by Commissioner Haskell, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-16

51 An Ordinance of the City of Key West, Florida, amending Section 30-9(c)(2)(a) of Chapter 30 Fire Prevention and Protection of the Code of Ordinances of the City of Key West, Florida to adjust the schedule of fire inspection fees; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Fire)
Business Impact Statement
Code of Ordinance Sec 30-9 REV

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-17

52 An Ordinance of the City Commission of the City of Key West, Florida amending Chapter 70 of the Code of Ordinances, entitled "Traffic and Vehicles" by amending to revise maximum rates for towing and storage services initiated at the request of City law enforcement officers; Providing for severability; Providing for repeal of inconsistent provisions; and Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Ordinance 23-02
Monroe County Rate Ordinance 011-2022
State Ordinance Filing
Business Impact Statement

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-18

53 An Ordinance of the City of Key West, Florida, amending Chapter 74 of the Code of Ordinances, entitled "Utilities," Article II entitled "Sanitary Sewer System," by repealing Section 74-171 - Grease, Oil and Sand Interceptors; adding Article VI entitled "Fats Oils and Grease Management" Section 74-245 through 74-261 to provide regulations for uniform maintenance and monitoring requirements for controlling the discharge of grease from food service facilities, and grease hauling; Adding Sections 74-250 - Title; Section 74-251 - Purpose; Section 74-252 - Applicability; Section 74-253 - Definitions; Section 74-254 - Authority; Section 74-255 - Facility Inspections; 74-256 - Grease Traps & Interceptors; Section 74-257 - Grease Interceptor and Trap Enforcement; Section 74-258 - Grease Haulers; Section 74-259 - Fees; Section 74-260 - Enforcement, Appeals; and Section 74-261 - Additional Criminal Offenses; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Utilities)
Consent Order
CMOM Program Plan
Business Impact Statement

A motion was made by Commissioner Castillo, seconded by Commissioner Carey, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-19

54 An Ordinance of the City of Key West, Florida, amending Sec. 74-246 Annual Sewer Rates, Charges and Components of the Code of Ordinances, City of Key West, Florida; Adjusting annual sewer rates, charges and components pursuant to Sec. 74-246(a); Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Barroso

Attachments: Ordinance
Cover Memo (Utilities)
Ord 24-24
Res 23-208
Business Impact Statement

A motion was made by Commissioner Castillo, seconded by Commissioner Haskell, that the Ordinance be Adopted. The motion carried by the following vote:

Absent: 1 - Commissioner Hoover

Yes: 6 - Commissioner Carey, Commissioner Castillo, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee and Mayor Henriquez

Enactment No: Ord 25-20

COMMISSION COMMENTS

ADJOURNMENT - 7:29 P.M

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
KAUFMAN SAMUEL J.	City of Key West Commission
MAILING ADDRESS 1300 white St.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Key West COUNTY	NAME OF POLITICAL SUBDIVISION: Key West
DATE ON WHICH VOTE OCCURRED 9/3/25	MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, SAMUEL J. KAUFMAN, hereby disclose that on Sept. 3, 20 25:

(a) A measure came or will come before my agency which (check one or more) N/A

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Interim City Attorney recommended recusal from vote related to Zombie Bike Ride. I am a volunteer Board member of a non-profit, Key West Art & Historical Society, which is one organizer of the event.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

9-3-25
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.