



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, January 7, 2020

5:00 PM

City Hall

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**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.**

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

#### ROLL CALL

**Absent** 1 - Commissioner Wardlow

**Present** 6 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

**INVOCATION - Pastor Terri Hill, Key West United Methodist Church**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA - The agenda was approved unanimously as amended.**

#### PROCLAMATIONS

1 Rev. Dr. Martin Luther King Jr. Day

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

Received and Filed

#### PRESENTATIONS

## State of the City - Mayor Johnston

## 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

2 \*December 3, 2019

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

## Passed

## RESOLUTIONS

3 \*Granting a Special Event Permit Pursuant to Section 6-86  
of the Code of Ordinances to Seacups, LLC DBA Dantes  
Key West for an official event of Mile Zero at 955 Caroline  
Street between the hours of Noon to 4:00 P.M. on Thursday,  
January 30, 2020.

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

**Passed**

Enactment No: Res 20-001

- 4                   \*Authorizing Bauer Restaurant, Inc. DBA Key West Songwriters Festival to conduct a free concert on the 100 and 200 block of Duval Street and Greene Street between Fitzpatrick & Ann Streets on May 9, 2020 from 6:00 A.M. to Midnight (set up at 6:00 A.M.); Granting a special event permit pursuant to Section 6-86 of the Code of Ordinances for a concert on the 100 & 200 block of Duval Street from 6:00 P.M. to 10:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.

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

**Passed**

Enactment No: Res 20-002

- 5                   \*Authorizing a change order to the design task order to Stantec Consulting Services, Inc. for Greene Street sidewalk and paving improvements to include an additional 300 LF from Fitzpatrick Street to Whitehead Street, in an amount not to exceed \$5,830.00; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Final additional services proposal](#)  
                              [Second proposal](#)  
                              [First Proposal](#)  
                              [Res 19-203 Stantec Design Proposal](#)  
                              [Res 17-207 Gen Eng Services](#)

**Passed**

Enactment No: Res 20-003

- 6                   \*Authorizing pursuant to Sections 2-797(4) (b) - Best Interests of the City, and 2-844(a) (b) - Brand Name Specifications, of the Code of Ordinances the purchase of twenty-five (25) GETAC B300G7 Extreme Rugged Notebook Computers and related equipment from PCN Strategies in the amount of \$97,500.00.

**Attachments:**     [Executive Summary](#)  
                          [PCN Quote](#)  
                          [MRA Quote](#)  
                          [SHI Quote](#)

**Passed**

Enactment No: Res 20-004

- 7                   \*Accepting and authorizing execution of the Notice of Grant Agreement (NOGA) for 2020 Florida Department of Transportation (FDOT) Section 5339 (FM# 439255-6-94-16) for program funding in the amount of up to \$121,929.00 for the purchase of Apollo Camera Systems; Authorizing the purchase of twelve (12) Apollo Camera Systems, in an amount not to exceed \$121,389.50, through Federal General Services (GSA) Contract #GS-07F-0776X, Pursuant to government contract, Pursuant to Sections 2-797 (3) (a) (b) (c) of the Code of Ordinances; Authorizing any necessary budget transfers.

**Attachments:**     [Resolution](#)  
                          [Executive Summary](#)  
                          [KWT - FTA Section 5339 NOGA](#)  
                          [Apollo Quote](#)

**Passed**

Enactment No: Res 20-005

- 8                   \*Approving the attached “Federally Funded Subaward and Grant Agreement” for FEMA Phase I Hazard Mitigation Grant Program (HMGP) funds for project number 4337-231-R/Agreement number H0300 Tide Valves on stormwater outfalls project in the amount of \$504,372.91 Federal/\$440,627.09 city match (FAIN: FEMA-DR-4337-FL); Authorizing necessary budget amendments; Authorizing the City Manager to execute this Agreement and subsequent amendments to this grant agreement, upon consent of the City Attorney, which may increase funding allocations to the city or modify the project scope.

**Attachments:**     [Resolution](#)  
                          [Executive Summary](#)  
                          [4337-231-R Grant Agreement](#)  
                          [Resolution 18-205](#)

**Passed**

Enactment No: Res 20-006

#### **Approval of the Consent Agenda**

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

- 9                   Authorizing the City of Key West to join the Florida Hate Crime Coalition (FHCC).

**Attachments:**     [Resolution](#)  
                          [Info on Hate Crimes and FL Legislation 12-19](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 20-007

10

Approving the attached quitclaim deed conveying certain property located at 250 Trumbo Road to Monroe County Florida upon specific terms and conditions for the purpose of constructing Essential Government Employee Housing.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Trumbo Quit Claim Deed](#)  
                              [Res 19-295](#)  
                              [KOTS Interlocal Agreement](#)  
                              [Declarations of Affordable Housing Restrictions](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Kaufman, that the Resolution be Passed. The motion passed by an unanimous vote.**

Enactment No: Res 20-008

11

Directing staff to work with the County and State to create policies and goals for right of way projects to incorporate “Complete and Sustainable Streets” and the target of “Vision Zero”; Setting a “Vision Zero” goal, to achieve zero collision-caused right-of-way fatalities and serious injuries by the year 2035.

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

**A motion was made by Commissioner Hoover, seconded by Commissioner Lopez, that the Resolution be Passed. The motion passed by a unanimous vote.**

Enactment No: Res 20-009

12

Selecting sign option "B" for the "Coffee Butler Key West Amphitheater"; Authorizing a construction task order for fabrication and installation of the sign; Authorizing necessary budget adjustments.

**Attachments:**     [Resolution](#)  
                              [Executive Summary](#)  
                              [Ampitheater Sign Option A](#)  
                              [Ampitheater Sign Option B](#)  
                              [Charley Toppino and Sons Quotes - CKW Amphitheater Sign](#)  
                              [Resolution 19-239 Coffee Butler Key West Amphitheater](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Wardlow

**Yes:** 6 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

Enactment No: Res 20-010

13

QUASI-JUDICIAL HEARING: (Granting/Denying) the appeal by appellant Steven F. Goldstone, by (Affirming/Reversing/Amending) the Planning Board's grant of Conditional Use for the property located at 1221 Varela Street, 1217 Varela Street & 1127 United Street.

**Attachments:**     [Resolution](#)  
                              [Montessori School Appeal](#)  
                              [PB Transcript 1 of 2](#)  
                              [PB Transcript 2 of 2](#)  
                              [PB-RES 2019-83 1217 1221 Varela St 1127 United St - VAR](#)  
                              [PB-RES 2019-84 1217 1221 Varela St 1127 United St - CU](#)  
                              [Request for Postponement](#)

**A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez, that the Resolution be Postponed to the February 19, 2020 meeting . The motion passed by a unanimous vote.**

#### **ORDINANCES – FIRST READING**

14

An Ordinance of the City Of Key West, Florida, amending the Future Land Use Map of the City Of Key West Comprehensive Plan for properties located at 918 Fort Street (RE # 00001630-000801), 727 Fort Street (RE # 00013990-000000), 101 Geraldine Street (RE # 00013970-000000), 709 Fort Street (RE # 00013960-000000), 100 Angela Street (RE # 00013950-000000), 105 Geraldine Street (RE # 00013910-000000), 110 Angela Street (RE # 00013900-000000), 111 Geraldine Street (re # 00013870-000000), 112 Angela Street (RE # 00013860-000000), 109 Geraldine Street (RE # 00013830-000000), and 114 Angela Street (RE # 00013820-000000); amending the Future Land Use Map Legend from Historic Public / Semi-Public, Historic Commercial, And Historic Residential To Historic Commercial; and to add a new Future Land Use Map Zoning Subdistrict designation of "Historic Neighborhood Commercial Bahama Village Truman Waterfront" (HNC-4) and applying such designation to said properties; Pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code Of Ordinances Of The City Of Key West, Florida; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary Of State and for an effective date; and Providing for the inclusion into the City Of Key West Comprehensive Plan.

**Attachments:**    [Ordinance](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [PB-RES 2019-85](#)  
                              [Noticing Package](#)

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



**Absent:** 1 - Commissioner Wardlow

**Yes:** 6 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

15

An Ordinance of the City Of Key West, Florida, amending the Official Zoning Map and the Official Zoning Map Legend to create a new zoning subsection to be named the Historic Neighborhood Commercial District Bahama Village Truman Waterfront (HNC-4) on property located at 918 Fort Street (RE # 00001630-000801), 727 Fort Street (RE # 00013990-000000), 101 Geraldine Street (re # 00013970-000000), 709 Fort Street (RE # 00013960-000000), 100 Angela Street (RE # 00013950-000000), 105 Geraldine Street (RE # 00013910-000000), 110 Angela Street (RE # 00013900-000000), 111 Geraldine Street (RE # 00013870-000000), 112 Angela Street (RE # 00013860-000000), 109 Geraldine Street (RE # 00013830-000000), and 114 Angela Street (RE # 00013820-000000) pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code Of Ordinances of the City Of Key West, Florida; Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan Future Land Use Map (FLUM) amendments; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [PB-RES 2019-86](#)  
                              [Noticing Package](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez, that the Ordinance be Passed to Second Reading. The motion passed by a unanimous vote.

16

An Ordinance of the City of Key West, Florida, amending Comprehensive Plan Policy 1-1.1.4, entitled “Affordable Housing and Compact Development Incentives,” to add a revised FLUM, amending Comprehensive Plan Table 1-1.1.5, to add an additional subdistrict under Historic and Commercial Future Land Use District, and amending Comprehensive Plan Policy 1-1.1.9, entitled “Allowed Uses in Historic Neighborhood Commercial,” to add a fifth corridor and a fourth HNC Subdistrict to allow for up to 40 dwelling units per acre; Pursuant to Chapter 90, Article VI, Division 3; Providing for repeal of inconsistent provisions; Providing for an effective date; and Providing for the inclusion in the City of Key West Comprehensive Plan.

**Attachments:**    [Ordinance](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [PB-RES 2019-87](#)

**A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading. The motion passed by a unanimous vote.**

17

An Ordinance of The City of Key West, Florida, amending Chapter 122 of the Land Development Regulations, entitled "Zoning," Article IV, entitled "Districts," Division 8 entitled "Historic Neighborhood Commercial Districts," to create a new zoning district entitled the "Historic Neighborhood Commercial District Bahama Village Truman Waterfront" (HNC-4), providing amendments to Section 122-92, entitled "Future Land Use Map Designations and Zoning Districts," Section 122-1111, entitled "Table of Land Use by Districts," Section 122-1112, entitled "Table of Permitted and Conditional Commercial Retail Uses by Districts," and Section 122-1151, entitled "Size and Dimension," Providing for intent, permitted uses, conditional uses, prohibited uses, and dimensional requirements; Providing for residential density of up to 40 units per acre; Pursuant to Chapter 90, Article VI, Division 2; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**     [Ordinance](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [PB-RES 2019-88](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Ordinance be Passed to Second Reading. The motion passed by a unanimous vote.

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

18

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Section 70-265, to add the Jackson Square parking lot, and the 500 block of Thomas Street after courthouse business hours and on weekends to the non-resident Truman Waterfront parking permit program and extending the non-resident permit program to County residents located south of mile marker 33; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                              [Executive Summary](#)  
                              [Jackson Square](#)

**A motion was made by Commissioner Kaufman, seconded by Commissioner Hoover, that the Ordinance be Adopted. The motion carried by the following vote:**

**Absent:** 1 - Commissioner Wardlow

**Yes:** 6 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 20-01

19

An Ordinance of the City of Key West, Florida, Amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Article IV - "Parking Stopping and Standing", Division 5, "Residential Parking Permit Program", Section 70-249, to add the Jackson Square Parking Lot and 500 Block of Thomas Street after business hours and on weekends to the Residential Parking Permit Program; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                              [Executive Summary](#)  
                              [Jackson Square](#)

**A motion was made by Commissioner Kaufman, seconded by Commissioner Hoover, that the Ordinance be Adopted. The motion carried by the following vote:**

**No:** 1 - Commissioner Lopez

**Absent:** 1 - Commissioner Wardlow

**Yes:** 5 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 20-02

20

An Ordinance of the City of Key West, Florida, Amending Chapter 58 of the Code of Ordinances, entitled "Solid Waste" by amending Section 58-65 to provide that the Residential Solid Waste Rate shall be adjusted each year by Resolution; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

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

Enactment No: Ord 20-03

21

An Ordinance of the City of Key West, Florida, Amending Chapter 2 of the Code of Ordinances entitled "Administration" by amending Section 2-939 "Licenses" to authorize the City Manager to permit the revocable use of city right of way for sidewalk dining under specified conditions; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**     [Ordinance](#)  
                                 [SIDEWALK CAFE PROGRAM \(Application and Checklist\) \(FINAL UPDATE\)](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Kaufman, that the Ordinance be Adopted with the condition that 'police department' be removed from Subsection (12) . The motion carried by the following vote:**

**No:** 1 - Commissioner Lopez

**Absent:** 1 - Commissioner Wardlow

**Yes:** 5 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 20-04

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT - 6:45 P.M.**