



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Wednesday, January 4, 2023

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.

CALL MEETING TO ORDER - 5:00 PM

ROLL CALL

Present 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

INVOCATION - Reverend Mother Sarah Fowler - Williams Hall Faith Services

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - Approved unanimously as changed.

PROCLAMATIONS

- 1 Elks Club Commitment to Autism Week
Received and Filed

PRESENTATIONS

- 2 Annual State of the City - Mayor Teri Johnston
Received and Filed

City Attorney's Report**City Manager's Report**

**-Employee of the Quarter - Christopher A. Coleman -
Postponed**

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

3 *December 6, 2022

Passed

RESOLUTIONS

4 *Approving an the attached "Interim City Attorney Employment Agreement" between the City of Key West and Ronald J. Ramsingh.

Passed

Enactment No: Res 23-001

5 *Affirming that according to historical documents, Mallory Square was named in honor of the Mallory Steamship Company of Mystic Connecticut; Directing the City Manager to allocate funding for appropriate signage and historical exhibits to describe the history of Mallory Square.

Passed

Enactment No: Res 23-002

- 6 *Authorizing Key Music Festivals, LLC to conduct a Kickoff event with a free concert during the Key Western Fest on the 200 block of Duval Street and Greene Street between Telegraph Lane & Ann Streets on Tuesday, January 31, 2023, from 6:00 p.m. to 10:00 p.m. Pursuant to terms and conditions set forth by the City Manager.
- Passed**
- Enactment No: Res 23-003
- 7 *Authorizing A.H. of Monroe County, Inc. to conduct the Annual Taste of Key West at the Key West Truman Waterfront Quay Wall on Monday, April 24, 2023 from 6:00 p.m. to 9:00 p.m. (Set up starting at 7:00 a.m.); Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.
- Passed**
- Enactment No: Res 23-004
- 8 *Approving the Staff Ranking for Trenchless Installation of Utilities across Fleming Channel Project in Response to RFQ No. 22-008; Authorizing the City Manager to Enter Into Contract Negotiations With Jacobs Engineering Group, Upon Consent of the City Attorney.
- Passed**
- Enactment No: Res 23-005
- 9 *Approving a task order to Tetra Tech, Inc. for structural assessment of the liveboard seawall in a total amount not to exceed \$52, 342.00; Approving necessary budget transfers or adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.
- Passed**
- Enactment No: Res 23-006

- 10 *Authorizing an expenditure of Law Enforcement Trust Funds (Forfeiture Funds) in an amount not to exceed \$44,684.00 for tuition, lodging, fuel, tolls and per diem expenses for two KWPD officers to attend the Southern Police Institute 92nd Command Officers Development Course between February and June 2023.
- Passed**
- Enactment No: Res 23-007
- 11 *Authorizing pursuant to Sections 2-797(4)(b), Best Interest of the City, and 2-844(a)(b), Brand Name Specifications, of the Code of Ordinances the purchase of 25 GETAC B360 rugged notebook computers and, 25 GETAC B360 In-Car Docking Stations from PCN Strategies in an amount of \$100,855.75.
- Passed**
- Enactment No: Res 23-008
- 12 *Authorizing the purchase of one (1) Ford F350 at a total amount not to exceed \$77,486.74 from Bartow Ford, through piggybacking on the Charlotte County Purchasing Contract no. 2021000541, pursuant to Section 2-797 (3)(a) (b)(c), (Purchases Under Government Contract) of the Code of Ordinances and Section 2-844(a) (Brand Name) for use by the Key West Police Department; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager or designee to execute necessary documents upon consent of the City Attorney.
- Passed**
- Enactment No: Res 23-009
- 13 *Approving the attached Lease Agreement between the City of Key West and Southermost Deli, LLC (DBA Lagerheads Beach Bar and Watersports for certain property located at 0 Simonton Street; Authorizing the City Manager to execute documents upon consent of the City Attorney.
- Passed**

Enactment No: Res 23-010

- 17 ***Parking Agreement - 918 Fort Street (RE# 00001630-000801)** - A request for approval of a bicycle substitution variance, a parking variance and a parking agreement with the City of Key West for the construction of 126 affordable housing residential units on property located within the Historic Neighborhood Commercial 4 - Bahama Village Truman Waterfront (HNC-4) Zoning District pursuant to Sections 90-395, 108-244, 108-572, 108-574, 108-576, of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
- Postponed to January 18, 2023**
- 18 ***Major Development Plan and Landscape Waiver - 918 Fort Street (RE# 00001630-000801)** - A request for approval of a major development plan and landscape waiver for the construction of 126 affordable housing residential units on property located within the Historic Neighborhood Commercial 4 - Bahama Village Truman Waterfront (HNC-4) zoning district pursuant to Chapter 108, Article III through IX 122-1467 and 122-872(2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
- Postponed to January 18, 2023**
- 19 *An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled "Vehicles for Hire" by amending Section 78-64, to amend the number of independent passenger vehicle for hire licenses that the City may issue; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.
- Postponed to January 18, 2023**

- 20 *An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled “Vehicles for Hire” by amending Section 78-92 to adjust certain requirements that a passenger vehicle for hire (PVH) driver permit applicant must provide prior to issuance of a permit by the City; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Postponed to January 18, 2023

Approval of the Consent Agenda

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

ORDINANCES – FIRST READING

- 21 An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Code of Ordinances, titled “Zoning”, Article V titled “Supplementary District Regulations”, by adding Division 15 titled “Short Term Rentals”; by creating Sec. 122-1560 titled “Purpose and Intent”; by creating Sec. 122-1561 titled “Applications”, by creating Sec. 122-1562 titled “Rebuttable Presumptions of Violation; by creating Sec. 122-1563 titled “Regulations”; by creating Sec. 122-1564 titled “License Transfer”; by creating Sec. 122-1565 titled “Fees”; by creating Sec. 122-1566 titled “Penalties”; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Ordinance be Postponed Indefinitely. The motion carried by the following vote:

No: 1 - Commissioner Carey

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

RESOLUTIONS - CONTINUED

- 14 To approve the ranking of responses to the request for proposals (RFP) No. 22-005 for Grant Writing and Grant Administration Services by the Selection Committee; Authorizing the City Manager to negotiate and execute a contract with the highest ranking firm upon advice and consent of the City Attorney; Authorizing any necessary budget adjustments or transfers.

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, to approve the selection of Langton Associates for Grant Writing and Grant Administration Services, that the Resolution be Passed. The motion passed by an unanimous vote.

Enactment No: Res 23-011

- 15 **Quasi-Judicial Hearing: Major Development Plan - 700-724 Truman Avenue (RE #00030020-000000) - A** request for approval of a Major Development Plan and Landscape Waivers to renovate an existing building and convert approximately 15,187.21 SF of space into a High School on a parcel located within the Historic Public and Semi-public Services (HPS) Zoning District pursuant to Section 108-91.A.2 and Section 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Approved. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: 12-012

16

Quasi-Judicial Hearing: Easement - 3728 Flagler Avenue (RE #00071780-000000) - A request for an Easement Agreement for an encroachment of approximately 255 square-feet, more or less, in order to construct and maintain a boat lift over City-owned Sunrise Canal abutting property located within the Single-Family (SF) Zoning District at 3728 Flagler Avenue, Key West, Florida (RE# 00071780-000000), pursuant to Section 2-938(b)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.

A motion was made by Commissioner Billy Wardlow, seconded by Commissioner Jimmy Weekley, that the Resolution be Approved. The motion passed by an unanimous vote.

Enactment No: 23-013

ORDINANCES - SECOND READING (Public Hearing)

22

An Ordinance of the City of Key West, Florida, amending Chapter 46 of the Code of Ordinances entitled "Pensions and Retirement Plans," by amending Section 46-108 of the Code of Ordinances to members of the City of Key West Employees' Retirement fund to purchase up to 5 years of prior military service; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

A motion was made by Commissioner Billy Wardlow, seconded by Commissioner Lissette Carey, that the Ordinance be Adopted. The motion passed by an unanimous vote.

Enactment No: Ord 23-01

23

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances, entitled "Traffic and Vehicles" by amending Section 70-707, to adjust maximum rates for non-consensual towing services; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Billy Wardlow, that the Ordinance be Adopted. The motion passed by an unanimous vote with Commissioner Kaufman voting no.

Enactment No: Ord 23-02

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 7:57 PM