



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

---

Tuesday, March 2, 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.**

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

#### ROLL CALL

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

#### PLEDGE OF ALLEGIANCE TO THE FLAG

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

#### PROCLAMATIONS

1 Womankind 20th Anniversary Day

Attachments: [Proclamation](#)

Received and Filed

#### PRESENTATIONS

2 Presentation of Flag

Received and Filed

3 200 Year Anniversary of Key West

Attachments: [City of Key West 200th](#)

4 Strategic Planning - Elisa Levy

Attachments: [Presentation](#)

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**

5 \*February 17, 2021

Attachments: [Minutes](#)

Passed

**RESOLUTIONS**

6 \*Adopting the 2020 update of the Local Mitigation Strategy as required by State and Federal Regulations to qualify for certain mitigation grant funding.

Attachments: [Resolution](#)

[Executive Summary](#)

[\(Large File\) Monroe County Local Mitigation Strategy - Dec. 2020](#)

Passed

Enactment No: Res 21-027

- 7                   \*Approving and accepting the attached Grant Award Agreement with the Monroe County Tourist Development Council (TDC) to accept funding in the amount of up to \$167,890.00 for the Mallory Square Sunshades (Public Facilities Category) Project, to assist with a tourism impact study and the purchase and installation of sunshades; Authorizing any necessary budget amendments or transfers to accept the funding; Authorizing the City manager to execute necessary documents upon consent of the City Attorney.

**Attachments:**     [Resolution](#)  
                          [Executive Summary](#)  
                          [Grant Award Agreement](#)  
                          [Application](#)  
                          [Public Facilities Funding Flow Chart](#)

**Passed**

Enactment No: Res 21-028

- 8                   \*Authorizing a one-year extension pursuant to Section 11.2 of the Agreement between the City and Tidal Basin Government Consulting, LLC (Tidal Basin) for emergency management consulting services; Authorizing the City manager to negotiate and execute necessary document, upon advice and consent of the City Attorney.

**Attachments:**     [Resolution](#)  
                          [Exec Summary](#)  
                          [Tidal Basin Agreement 2020](#)  
                          [Res. 20-068](#)

**Passed**

Enactment No: Res 21-029

- 9 \*Approving pursuant to Section 2-797(4)(b) of the Code of Ordinances the procurement of three trailers with accessories from Vesta Modular, LLC, in an amount not exceed \$113,435.00, for use at Wickers Field.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Budget Transfer Wickers Trailers](#)  
                              [Vesta Modular Quote](#)  
                              [Pac-Van Quote](#)  
                              [Mobile Modular Quote](#)

**Passed**

Enactment No: Res 21-030

- 10 \*Authorizing the City Manager to enter into an agreement with Michael Ngov, as current property owner of 3713 Donald Avenue; Permitting a Release of Lien upon payment by the owners in the amount of \$5,000.00.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Notice of Code Violation](#)  
                              [Notice of Hearing](#)  
                              [Special Magistrate Findings and Orders](#)  
                              [Filed Lien](#)  
                              [Mitigation Request Form](#)

**Postponed to March 16, 2021**

11

\*Approving and authorizing the City Manager to execute a contract amendment for Metric Engineering for the South Roosevelt Boulevard Reconstruction Project to include amounts for Local Agency Program (LAP) Supplemental Agreements 4,5, and 6 and to grant a time extension to June 30, 2025 to coincide with the Local Agency Program (LAP) Contract No. ANT08, South Roosevelt Boulevard Reconstruction Project (FM25548-4); Approving any necessary budget amendments or transfers.

**Attachments:**     [Resolution](#)  
[Executive Summary](#)  
[Metric contract amendment](#)  
[Resolution 04-146](#)  
[Resolution 13-132](#)  
[Resolution 19-042](#)  
[Resolution 16-195](#)  
[Resolution 18-070](#)  
[Resolution 19-124](#)  
[Resolution 20-227](#)

**Passed**

Enactment No: Res 21-031

### **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.**

- 12 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.

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Amendment 2](#)  
                          [Resolution 19-129](#)  
                          [Resolution 19-363](#)  
                          [Public Comment - Haskell](#)  
                          [Public Comment - Martini](#)

**A motion was made by Commissioner Davila, seconded by Vice Mayor Kaufman, that the Resolution be Postponed to March 16, 2021. The motion carried by the following vote:**

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

- 13 Approving the attached "Plans Review and Inspection Services Agreement" between the City and All Aspects Inspection Services, LLC for building permit plans review and inspection services; Approving any necessary budget transfers or adjustments.

**Attachments:**    [Resolution](#)  
                          [Executive Summary](#)  
                          [Agreement](#)  
                          [Resolution 21-010](#)

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

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

Enactment No: Res 21-032

14

### **Quasi-Judicial Hearing: Easement**

Approving an Easement Agreement in order to maintain brick pavers that extend approximately 545 Square Feet, more or less onto the Harris Avenue right-of-way located within the Single Family (SF) Zoning District at 2407 Harris Avenue, Key West, Florida (RE#00048650-000000); 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 for fees and conditions.

**Attachments:**    [Resolution](#)  
                              [Executive Summary](#)  
                              [Agreement](#)  
                              [Package](#)

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

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

Enactment No: Res 21-033

## **ORDINANCES - FIRST READING**

15

An Uncodified Ordinance of the City of Key West, Florida, amending Ordinance 21-01 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 repeal of inconsistent provisions; Providing for an effective and sunset date.

**Attachments:**    [Ordinance](#)  
                              [Ordinance 21-01](#)

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

**No:** 1 - Commissioner Wardlow

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

Enactment No: Ord 21-07

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

16

An Ordinance of the City of Key West, Florida, amending Chapter 86 of the Code of Ordinances entitles "General Provisions" by amending Section 86-9 to amend the definition of affordable housing (very low income); Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                              [Executive Summary](#)  
                              [Staff Report](#)  
                              [Resolution](#)

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

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

Enactment No: Ord 21-08

17

An Ordinance of the City of Key West, Florida, amending Chapter 122 of the Code of Ordinances entitles "Zoning" by amending Section 122-1466 by adding the definition of affordable housing (very low income); Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Attachments:**    [Ordinance](#)  
                              [Staff Report](#)  
                              [Executive Summary](#)  
                              [Resolution](#)

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

Enactment No: Ord 21-09

- 18 An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances, entitled "Environment", Article IV, entitles "Sound Control by Amending Section 26-191, "Definitions"; Adding Section 62-5 stating prohibition against blowing debris into storm drains; Providing for severability; Providing for inclusion in the Code; Providing for repeal of insistent provisions; Providing for an effective date.

**Attachments:** [Ordinance](#)  
[Correspondence](#)

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

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

Enactment No: Ord 21-10

#### DISCUSSION

- 19 Affordable Housing Update  
Withdrawn
- 20 North Roosevelt Blvd Planning Process  
**Attachments:** [N. Roosevelt Survey - Draft](#)  
[N. Roosevelt Blvd Improvements Map](#)  
Discussed

#### CITIZEN COMMENTS

#### COMMISSION COMMENTS

#### ADJOURNMENT - 7:29 P.M.