



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### City Commission

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Tuesday, March 1, 2022

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.

**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

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

**INVOCATION - Pastor Daniel Hagmaier, Peace Covenant Presbyterian Church**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

#### COMMENDATION

**1** Dr. Perry Arnold

Sponsors: Mayor Johnston

Attachments: [Commendation](#)

Received and Filed

2 Retirement of Tom Hambright, Monroe County Public Library Historian

Sponsors: Mayor Johnston

Attachments: [Commendation](#)

Received and Filed

**PROCLAMATIONS**

3 Mohawk Day

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

Received and Filed

4 Florida Elks Lodge 551 Day

Sponsors: Commissioner Wardlow and Commissioner Davila

Attachments: [Proclamation](#)

Received and Filed

**PRESENTATIONS**

5 Botanical Garden Lease Extension - Misha D. McRAE

Sponsors: City Manager McLaughlin

Attachments: [Key West Botanical Garden Lease](#)  
[Key West Commissioner Meeting Presentation Outline](#)

Received and Filed

**City Attorney's Report**

**City Manager's Report**

- Direction of Diesel Plant
- One-way Traffic Study - Steve McAlearney

6

Attachments: [One-Way Grid 02.11.2022](#)

Received and Filed

**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 \*February 15, 2022

Attachments: [Minutes](#)

**RESOLUTIONS**

8 \*Designating Key Lime Pie as the official dessert of the City of Key West.

Sponsors: Mayor Johnston, Vice Mayor Kaufman and Commissioner Lopez

Attachments: [Resolution](#)

**Passed**

Enactment No: Res 22-058

9 \*Authorizing and Supporting the "Daily Plan it" to conduct the "Key West 200th Heritage Festival" at the Key West Truman Waterfront on Saturday, March 26, 2022 from 10:00 A.M. to 9:00 P.M. (break down Sunday, March 27, 2022); Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area.

Sponsors: City Manager McLauchlin

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

**Passed**

Enactment No: Res 22-059

- 10                   \*Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a Kickball Tournament Fundraiser at the Clayton Sterling Complex on Sunday, ~~May 1, 2022~~ May 15, 2022 from 8:00 A.M. to 8:00 P.M.; Authorizing the sale and consumption of alcoholic beverages at the Clayton Sterling complex on ~~May 1, 2022~~ May 15, 2022 from 8:00 A.M. to 8:00 P.M.

**Sponsors:**           City Manager McLaughlin

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

**Passed with an amendment to change the date from May 1, 2022 to May 15, 2022.**

Enactment No: Res 22-060

- 11                   \*Approving the proposed Settlement Agreement between the City of Key West and Gretna Williams in Circuit Court Case Number 2016-CA-223-K in the amount of \$90,000.00; Authorizing the City Manager to execute all settlements documents with the advice and consent of the City Attorney.

**Sponsors:**           City Attorney Smith

**Attachments:**       [Resolution](#)  
                              [Case Summary \(Public\)](#)  
                              [Settlement Agreement](#)  
                              [Photo 1](#)  
                              [Photo 2](#)  
                              [Photo 3](#)  
                              [Photo 4](#)  
                              [Photo 5](#)

**Passed**

Enactment No: Res 22-061

- 12                    \*Approving the proposed Settlement Agreement between the City of Key West and Daniel Galvan in Workers' Compensation Case Number 22-000893KFO in the amount of \$145,000.00; Authorizing the City Manager to execute all settlement documents with the advice and consent of the City Attorney.

**Sponsors:**            City Attorney Smith

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

**Passed**

Enactment No: Res 22-062

- 13                    \*Approving Task Order No. 10 to Black & Veatch Corporation for Design and Bid-Phase Services for the Replacement of the existing belt filter press dewatering system at the Richard A. Heyman Environmental Protection Facility in an amount not to exceed \$261,257.00; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

**Sponsors:**            City Manager McLaughlin

**Attachments:**        [Resolution](#)  
                                  [Executive Summary](#)  
                                  [Task Order 10 Black & Veatch](#)

**Passed**

Enactment No: Res 22-063

- 14 \*Approving the sole source purchase and Installation of the brand name FlexiPave from K.B. Industries, Inc. for the Resurfacing of the Playground Area at Truman Waterfront Park for a total amount not to exceed \$226,739.60 on a sole source basis pursuant to Section 2-797(1) for brand name items in accordance with 2-844 of the Code of Ordinances, for Truman Waterfront Park; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager or designee to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[K.B. Industries, Inc. Quote](#)  
[Brand Name Memorandum and Sole Source Letter](#)

**Passed**

Enactment No: Res 22-064

- 15 \*Awarding the bid of Marino Construction Group, Inc. in a response to Invitation to Bid ("ITB") #21-010 for City of Key West oil and gas waste stations in the total amount of \$646,674.73; Authorizing a budget transfer from deferred revenue solid waste impact fees and any necessary budget adjustments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Resolution 18-065](#)  
[ITB #21-010](#)  
[Design Drawings](#)  
[Marino Construction Bid](#)  
[Pedro Falcon Bid](#)  
[ITB 21-010 Bid Memo](#)

**Passed**

Enactment No: Res 22-065

16

\*Rejecting all bids received in response to Invitation to Bid (ITB) #22-005, for Ferric Sulfate Tanks Replacement and Gangway Replacement at the Richard A. Heyman Environmental Protection Facility (RAHEPF); Pursuant to Section 2-834(4) of the Code of Ordinances.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[ITB 22-005](#)  
[ITB 22-005 Bid Memo](#)  
[TLC Diversified Bid](#)  
[Charley Toppino & Sons, Inc.](#)  
[Razorback LLC Bid](#)

**Passed**

Enactment No: Res 22-066

#### **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.**

17

Authorizing the City Manager to enter into an Agreement with Robert Janicki, through his representative attorney Van Fischer, as property owner of 1205 11th Street, permitting a release of lien upon payment by the owners of the amount of (\$10,000.00 requested); Providing conditions; Authorizing the City Manager to execute any necessary documents.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Lien Mitigation Request Form](#)  
[Notice of Code Violation](#)  
[Amended Notice of Code Violation](#)  
[Notice of Administrative Hearing](#)  
[Findings and Orders](#)  
[Lien](#)  
[Trepanier email](#)  
[Memo from VDF Law 1205 11th St lien mitigation](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Denied. 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



18

Approving the attached Change Order No. 2 to William P. Horn, Architect, PA Task Order under the General Architectural Services Contract, for architectural and engineering design services for the new Keys Overnight Temporary Shelter (KOTS) Project in an amount not to exceed \$94,260.00; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Bill Horn C.O. 2](#)  
[Bill Horn C.O. 2 Fee Information](#)  
[Bill Horn Contract C.O. 1](#)  
[FL Arch/Eng Svcs Calculator](#)  
[Res 20-219 Horn Design KOTS](#)  
[Horn Extension](#)  
[Res 20-141 Arch Gen Svcs Extensions](#)  
[Horn Architectural Services Signed](#)

**A motion was made by Commissioner Wardlow, seconded by Commissioner Davila, 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 22-067

19

Approving a Task Order between the City and KCI Technologies, Inc. in the amount of \$128,560.00 for design services of the Caroline Street (Simonton to Whitehead) Improvement Project; 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](#)  
[KCI Caroline Non-TIF-Scope](#)  
[Keith & Schnars Agreement](#)  
[KCI Engineering-Extension](#)  
[Resolution 17-207 Gen Eng Svcs](#)  
[Resolution 19-111 Name Change](#)  
[Resolution 20-142 Contract Extension](#)  
[2019 PM Report](#)

**A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Resolution be Passed. The motion failed 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 22-068

- 20 Approving the attached "State of Florida Department of Transportation Coronavirus State Fiscal Recover Funds Subrecipient Grant Agreement" between the Florida Department of Transportation (FDOT) and the City of Key West for assistance through the American Rescue Plan Act (ARPA) (Financial Project Number 449492-1-84-01) in an amount of up to \$5,018,855.00; Authorizing necessary budget transfers and adjustments; Authorizing the City Manager to execute necessary documents and any subsequent amendments that may increase funding or modify the project scope upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[Subrecipient Grant Agreement](#)  
[Public Comment - Wells](#)

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

Enactment No: Res 22-069

## DISCUSSION

- 21 Charter Review Proposed Changes - Charter Review and District Boundary Committee

**Sponsors:** City Commission

**Attachments:** [Final 2021 Proposed Changes](#)

Discussed

7:52 P.M. - Meeting went into Recess

8:05 P.M. - Meeting Reconvened

RESOLUTIONS - Cont'd

22

Approve the ranking of responses to the Request for Qualifications (RFQ) No. 22-002 for the Sunset Celebration/Mallory Square Master Plan by the selection committee; Authorizing the City Manager and City Attorney to draft a contract with the highest ranking firm or team.

**Sponsors:** City Manager McLaughlin

**Attachments:** [Resolution](#)  
[Executive Summary](#)  
[RFQ Selection Committee Score Sheet](#)  
[GAI-CSG Presentation](#)  
[Sasaki Presentation](#)  
[K2M RFQ Proposal](#)  
[AE7 RFQ Proposal](#)  
[BEA Architects RFQ Proposal](#)  
[S&ME RFQ Proposal](#)  
[Chen Moore & Associates RFQ Proposal](#)  
[Sasaki RFQ Proposal](#)  
[KEITH RFQ Proposal](#)  
[GAI Consultants RFQ Proposal](#)  
[Sunset Mallory RFQ #22-002](#)

**A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, 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 22-070

#### **CITIZEN COMMENTS**

#### **COMMISSION COMMENTS**

#### **ADJOURNMENT - 8:56 P.M.**