



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Meeting Agenda Full Detail

### City Commission

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Tuesday, October 19, 2021

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.**

**You may also attend these meetings virtually via Zoom by telephoning 312-626-6799, Meeting ID: 842 5168 8010, Passcode: 761859 or online at: <https://cityofkeywest-fl-gov.zoom.us/j/84251688010> Passcode: 761859**

**CALL MEETING TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

**1 Lights on After School**

**Sponsors:** Mayor Johnston

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

**2 Hispanic and Latino Heritage Month**

**Sponsors:** Mayor Johnston

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

**3 Breast Cancer Awareness Month**

**Sponsors:** Mayor Johnston

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

**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**

4 \*October 5, 2021

Attachments: [Minutes](#)

**RESOLUTIONS**

5 \*Approving the proposed settlement agreement with Elizabeth Pressman in Case No. 18-CA-987-K in the amount of \$100,000.00; 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](#)  
[Settlement Agreement](#)  
[Release](#)

6 \*Authorizing "Integrity Multisport, Inc." & "Reef Relief, Inc." to conduct a "Key West Triathlon/Tri Conch Republic" event starting at 7:00 A.M. and ending at 11:00 A.M., December 4, 2021 (Set-up, Friday, December 3, 2021 from 11:00 A.M. to 3:00 P.M.) at Smathers Beach and parking lot across Smathers Beach; Authorizing certain street closures thereof during the event; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)  
[Executive Summary](#)  
[Application](#)  
[Maps](#)  
[COVID Plan](#)

- 7 \*Approving the attached 2022 Meeting Schedule for the Key West City Commission.

**Sponsors:** City Manager McLaughlin

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

[2022 Meeting Dates](#)

- 8 \*Ratifying an emergency change order approved by the City Manager on September 28, 2021 in the amount of \$9,266.93, as provided for under Section 2-845 and 2-797(2) of the Code of Ordinances, to Charley Toppino & Sons, Inc. for additional tasks related to the 19th Street Sidewalks Project; Authorizing necessary budget adjustments and transfers; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Emer CO 19th St](#)

[19th St ADA Work Order](#)

[Res 21-146 CTS 19th St Sidewalk](#)

[Res 21-125 GU&IS Contract](#)

[Sec. 2-845. Change Orders](#)

- 9 \*Requesting the Key West Parks and Recreation Advisory Board to provide the City Commission with advice and recommendations for the use of the Hawk Missile Site.

**Sponsors:** City Manager McLaughlin

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

[Parks and Recreation Advisory Board Minutes.4.29.2021](#)

[2007 Salt Ponds Advisory Committee Park Feasibility Recommendations](#)

- 10                    \*Approving a one-year extension of the "Consulting Agreement" between the City of Key West and Corradino Group, Inc., for professional planning services for the period of October 1, 2021 through September 30, 2022; Authorizing necessary budget transfer and adjustments; Authorizing the City Manager to execute necessary documents to extend the Consulting Agreement, upon advice and consent of the City Attorney.

**Sponsors:** City Manager McLauchlin

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

[Executive Summary](#)

[Corradino Agreement](#)

[Corradino Grp Agreement-First Addendum FULLY EXECUTED](#)

[2021 Contract Extension - Memorandum from Corradino](#)

- 11                    \*Approving the attached "Lease Agreement" between the City and Boys and Girls Club of the Keys Area, Inc. for property located at Bayview Park (The "C.B.S. Recreation Building") pursuant to Section 2-941(c) of the Code of Ordinances.

**Sponsors:** City Manager McLauchlin

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

[Executive Summary](#)

[Lease Renewal Agreement](#)

- 12                    \*Approving the purchase and installation of AstroTurf Artificial Turf at George Mira Field by Burke Construction, in an amount not to exceed \$674,000.00, pursuant to Section 2-797(4)(b) of the Code of Ordinances, Best Interests of the City; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Burke Construction Quote](#)

[George Mira Rendering](#)

[TLI Quote](#)

[TOA Quote](#)

- 13                    \*Approving the attached "Amendment No. 3 to Interlocal Agreement Between the City of Key West Florida and Monroe County Florida" (ILA) to extend mobile marine vessel pump out through December 31, 2021; Authorizing any necessary budget adjustments; Authorizing the City Manager to execute the ILA upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Amendment 3](#)

[Interlocal Agreement pumpout 7.14.20 - final with exhibit](#)

[Res 20-137](#)

[21-6798 ILA with Monroe County for Pumpout services six months extension](#)

[Resolution 21-038](#)

[Amendment 2](#)

[Resolution 21-118](#)

- 14 \*Authorizing the purchase of 30 Axon Fleet 2 Unlimited In-Car Camera systems and related equipment, pursuant to Key West Code of Ordinances Sec. 2-844 (a) (brand name), 2-797(1)(b) and 2-797(1)(c) (sole source), and 2-797(4)(b) (best interests) from Axon Enterprise Inc. in a total amount of \$249,990.84; Authorizing the City Manager or designee to execute necessary documents, upon consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Brand Name Certification](#)

[Key West Fleet 2 updated Quote 30 cars](#)

[Sole Source Justification](#)

- 15 \*Rejecting the bids received in response to Invitation to Bid (ITB) #21-015 for Southard Street Milling and Resurfacing, FM #435497-2-58, pursuant to Section 2-834(4) of the Code of Ordinances; Directing staff to re-advertise the project for public bid.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[2021-08-17 \(Southard\) Concurrence](#)

[FDOT 9-22 E-mail](#)

- 16 \*Approving the attached "Municipality Election Services Agreement" (2022) with the Monroe County Supervisor of Elections; Authorizing any necessary budget transfers; Authorizing the City Manager and the City Clerk to execute the Agreement.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Agreement](#)

[Ordinance 21-15](#)

- 17 \*Approving a two-year extension of the Contract for Services between Keefe, McCullough & Co., LLP and the City of Key West for Independent Auditing Services for fiscal years ending September 30, 2021 and September 20, 2022; Authorizing the City Manager to execute any necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Extension Request - City of Key West](#)

[CKW / Keefe Agreement](#)

[Resolution 18-203](#)

[Keefe McCullough Proposal \(Large File\)](#)

[RFP #008-18 Independent Auditing Services](#)

[Addendum No. 1](#)

[Addendum No. 2](#)

- 18 \*Authorizing the City of Key West to apply for Community Development Block Grant - Coronavirus (CDBG-CV) funding for the reconstruction of the Keys Overnight Temporary Shelter (KOTS), in a total amount up to \$4,300,000.00; Authorizing the City Manager to execute documents for the grant application upon the advice and consent of the City Attorney; Authorizing any necessary budget adjustments or transfers.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[DEO Technical Assistance Letter](#)

[DEO Technical Assistance Letter Summary](#)

[CDBG-CV Pre-Application](#)

[CDBG-CV Draft Application](#)

[FY21/22 CIP Project Detail](#)

- 19 Authorizing the City Attorney to negotiate a Letter of Representation with \_\_\_\_\_ for services related to cruiship ports referendum, ordinances or issues; Authorizing the City Manager to execute the Letter of Representation upon consent of the City Attorney.

**Sponsors:** City Attorney Smith

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

- 20 **Proposed to be Postponed to November 16, 2021**  
Accepting/Denying the attached Contract Amendment Request from Waste Management of Florida, Inc. (WMI) for amendments to Solid Waste and Recycling Collection Service Rates for Residential and Commercial Units.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[City Final Offer to WMIF](#)

[WMIF Lisa McNeight Amendment Request Sept 21](#)

[SAB Waste Contract Letter](#)

[Waste Management Commercial Disposal Amended Request](#)

[WMI Request](#)

[Resolution 14-134 - Contract](#)

[Resolution 14-254 - Amendment 1](#)

[Resolution 16-048 - Amendment 2](#)

**Legislative History**

6/15/21	City Commission	Postponed
7/20/21	City Commission	Postponed
8/3/21	City Commission	Postponed
8/17/21	City Commission	Postponed
9/14/21	City Commission	Postponed
10/5/21	City Commission	Postponed



21

**Proposed to be Postponed to December 6, 2021****QUASI-JUDICIAL HEARING:**

Granting/Denying the Appeal by attorney Van D. Fischer on behalf of property owner Steel City Motors, LLC of Planning Board Resolution No. 2021-31, which was fully rendered on August 9, 2021, pursuant to Sections 90-426 and 90-431 which denied variances for maximum building coverage and maximum impervious surface ratio at 1617 White Street, Key West, Florida.

**Sponsors:** City Manager McLauchlin

**Attachments:** [Notice of Appeal Exhibits A-C](#)

[BRIEF IN SUPPORT OF APPEAL with exhibits](#)

[Request for Continuance](#)

**Legislative History**

9/14/21	City Commission	Postponed
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22

**QUASI-JUDICIAL HEARING:****Major Development Plan and Landscape Waiver -  
210-216 Duval Street (RE# 00001420-000000)**

Granting a Major Development Plan and Landscape Waiver approval at 210-216 Duval Street (RE 00001420-000000) to renovate an existing historic mixed-use structure and enclose a portion of space between buildings of the property located in the Historic Residential Commercial Core (HRCC-1) Zoning District and a request for approval to pay a fee-in-lieu to comply with the City of Key West's Workforce Housing Ordinance pursuant to Sections 108-91, 108-517, and Section 122-1467(1)(A) of the Code of Ordinances of the City of Key West, Florida.

**Sponsors:** City Manager McLaughlin

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

[Resolution](#)

[Final Plans for City Commission Approval 10.8.2021](#)

[Planning Board Resolution 2021-29 for 210-216 Duval St MDP](#)

[Planning Package \\*LARGE FILE\\*](#)

[Staff Report](#)

[HARC Approval Letter and Signed COA](#)

[Urban Forester's Landscape review](#)

[Utilities Comments](#)

[Keys Energy Comments](#)

[Engineering Comments](#)

[Noticing Package](#)

[Plans from Planning Board](#)

**Legislative History**

3/25/21	Development Review Committee	Received and Filed
6/17/21	Planning Board	Approved
9/14/21	City Commission	Postponed
10/5/21	City Commission	Postponed

23

**QUASI-JUDICIAL HEARING:****Minor Development Plan and Landscape Waiver - 1020**

**Margaret Street (RE# 00030490-000000)** - A request for approval of a minor development plan to renovate an existing historic single-family structure and construct three new single-family structures, as well as install an inground pool and a paved parking lot in the Historic Medium Density Residential (HMDR) zoning district and a request for approval to pay a fee-in-lieu to comply with the City of Key West's Workforce Housing ordinance pursuant to Sections 108-91, 108-517, 122-596, 122-597, and Section 122-1467(1)(a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[Presentation](#)

[Staff Report](#)

[Planning Package](#)

[Unsigned Site Plans](#)

[PB RES 2021-30 1020 Margaret Street MIDP](#)

[\\*Large File\\* Noticing Package](#)

[2.18.21 Noticing Package](#)

[6.17.21 Noticing Package](#)

[Signed and Sealed Site Plans 10.4.21](#)

**Legislative History**

10/15/20	Planning Board	Postponed
11/19/20	Planning Board	Postponed
12/17/20	Planning Board	Postponed
1/21/21	Planning Board	Postponed
2/18/21	Planning Board	Postponed
6/17/21	Planning Board	Postponed
7/15/21	Planning Board	Approved

**ORDINANCES - FIRST READING**

- 24 An Ordinance of the City of Key West, Florida, amending Chapter 66 of the Code of Ordinances, titled "Taxation", by amending Sec. 66-109 titled "Schedule of Taxes" by adjusting the schedule of business tax receipts; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

- 25 An Ordinance of the City of Key West, Florida, creating or amending Comprehensive Plan sections - II. Glossary of Terms; Chapter 1. Future Land Use Element Policies 1-1.1.1, 1-1.1.16, 1-1.10.4 and 1-1.10.5; Chapter 1A Historic Preservation Element, Policies 1A-1.3.1, and 1A-1.5.3; Chapter 3. Housing Element, Policy 3-1.2.1, and Policy 3-1.2.2; Chapter 4. Public Facilities Element, Policies 4-3.1.5, and 4-3.1.6; Chapter 5. Coastal Management Element, Objective 5-1.7 and Policies 5-1.1.3, 5-1.3.2, 5-1.5.2, 5-1.5.3, 5-1.7.1, 5-1.7.2, and 5-1.7.4; Chapter 6. Conservation Element Policies 6-1.2.1, 6-1.2.19, and 6-1.3.1; Chapter 8. Intergovernmental Coordination Element Objective 8-1.6, and Policies 8-1.6.1, and 8-1.6.2; Pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

[PDRRP Presentation](#)

[Staff Report](#)

[PB RES 2021-46 PDRRP Comp Plan Text Amendment](#)

**Legislative History**

9/16/21

Planning Board

Approved

26

**Proposed to be Postponed to November 16, 2021:**

An Ordinance of the City of Key West, Florida, amending Chapter 110 of the Code of Ordinances, entitled "Resource Protection" by amending Section 110-323 entitled "Application" to provide for an application fee for applications to the Tree Commission and Urban Forestry Manager; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager McLaughlin

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

[Exhibit A](#)

[Executive Summary](#)

[Ordinance Considered by Planning Board](#)

[Letter to CC re Tree Fees Sec. 110-323](#)

[CC-TC Resolution 2021-0001 fees](#)

[PB RES 2021-45 TREE FEES](#)

[Staff Report](#)

**Legislative History**

9/16/21	Planning Board	Approved
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**ORDINANCES - SECOND READING (Public Hearing)**

27

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitles "Traffic and Vehicles, Article IV. Parking, Stopping and Standing, Division 3. Parking Lot Rates" by amending Sections 70-186 through 70-190 to adjust parking rates throughout the City; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager McLaughlin

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

[Executive Summary](#)

**Legislative History**

10/5/21	City Commission	Passed to Second Reading
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28

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, Section 70-249, to adjust fees; Amending Sections 70-254 and 70-256 to clarify employee parking lot permit regulations; Amending Section 70-265 to clarify Truman Waterfront parking permit regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

**Sponsors:** City Manager McLauchlin

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

[Executive Summary](#)

**Legislative History**

10/5/21

City Commission

Passed to Second Reading

**CITIZEN COMMENTS**

**COMMISSION COMMENTS**

**ADJOURNMENT**