



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Mayor Teri Johnston
Vice-Mayor Sam Kaufman
Commissioner Lissette Carey
Commissioner Mary Lou Hoover
Commissioner Clayton Lopez
Commissioner Billy Wardlow
Commissioner Jimmy Weekley

Charter Officials

Albert Childress, City Manager
Keri O'Brien, City Clerk
Ronald Ramsingh, City Attorney

Thursday, February 8, 2024

9:00 AM

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.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of the presentation for the agenda at least 7 days before the meeting.

MORNING SESSION - 9:00 A.M.

CALL MEETING TO ORDER

ROLL CALL

INVOCATION - Reverend Madeline Baum, Key West United Methodist Church

PLEDGE OF ALLEGIANCE TO THE FLAG - Steve McAlearney, Port/Marina Services Director

CITIZEN COMMENTS

APPROVAL OF AGENDA

CONSENT AGENDA*

***Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.**

RESOLUTIONS

- 1 *Urging the Florida Legislature to defeat SB 576/HB 601, which would prohibit investigation of complaints against law enforcement and correctional officers by a Citizens/Civilian Review Board; Directing the City Clerk to provide this Resolution to certain members of the Florida Legislature.
- Sponsors: Mayor Johnston
- Attachments: [Resolution](#)
- [SB 576 as of 1-25-24](#)
- [HB 601 as of 1-25-24](#)
- [Staff Analysis of SB 576 as of 1-25-24](#)
- [Staff Analysis HB 601 as of 1-25-24](#)
- 2 *Appointing Richard Toppino to the Housing Authority of the City of Key West Board of Commissioners.
- Sponsors: Mayor Johnston
- Attachments: [Resolution](#)
- [R. Toppino - Bio](#)
- [Certification of Appointment R. Toppino](#)
- [Code Sec. 2-351 and 2-352](#)
- [F. Toppino Resignation Ltr](#)
- 3 *Urging the Florida Legislature to defeat SB 1526/HB 1647, which, among its provisions, would prohibit local governments from preventing the demolition of certain structures within a half mile of the coastline, and require local governments to authorize replacement structures at the maximum development potential allowed by local development regulations; Directing the City Clerk to provide this Resolution to certain members of the Florida Legislature.
- Sponsors: Vice Mayor Kaufman and Mayor Johnston
- Attachments: [Resolution](#)
- [SB 1526 as of 1-25-24](#)
- [HB 1647 as of 1-25-23](#)

- 4 *Consider the recommendation of the Parks and Recreation Advisory Board for the installation of a splash pad/water park in all Bayview Park Redesign/Improvement Plans.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)

[Cover Memo](#)

[PRAB Resolution 23-01](#)

Legislative History

12/20/23	Parks & Recreation Advisory Board	Approved
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- 5 *Authorizing "USA Endurance Events of S.D." to conduct a "USA Women's Half Marathon Key West" starting and ending at Mallory Square on Saturday, February 24, 2024 from 6:00 A.M. to 1:00 P.M.; Authorizing certain street closures thereof during the event; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances from 6:00 A.M. to 8:00 A.M; Authorizing the sale and/or consumption of alcoholic beverages within the enclosed area; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Application & Approvals](#)

[Women's Club Charity Letter](#)

[Insurance](#)

[USA Women's Half Marathon Key West Volunteers](#)

- 6 *Authorizing Daily Plan-it and Key West First Legal Rum Company to conduct a "It's 5 O'Clock Key West Event" at the Truman Waterfront Green Fields next to the Splash Pad and a Second Line Walking Parade honoring Jimmy Buffett's Legacy on the anniversary of his death on Sunday, September 1, 2024, from 4:00 P.M. to 10:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcoholic beverages within the enclosed area; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Application & Approvals](#)

- 7 *Approving the attached "Lease Agreement," for the Park and Ride Garage property between the Utility Board of the City of Key West d/b/a Keys Energy Services, Inc., Lessor ("KEYS") and the City of Key West, Lessee ("CITY").

Sponsors: City Attorney Ramsingh

Attachments: [Resolution](#)

[Cover Memo](#)

[Proposed Lease Agreement](#)

[Exhibit A ground floor Keys area](#)

[Exhibit A ground floor Keys parking](#)

[Exhibit A James Street Keys entrance](#)

[Exhibit B barrier area 3](#)

[Exhibit B barrier area 5](#)

[Exhibit B North side adjacent to bus parking 2](#)

[Exhibit B north side adjacent to bus parking](#)

[Exhibit C area 1](#)

[Exhibit C storage area 2](#)

[Exhibit C Storage area 4](#)

[Exhibit C Storage area 5](#)

[Exhibit C Storage](#)

- 8 *Ratifying an Emergency Procurement approved by the City Manager in excess of \$50,000 as allowed under Section 2-797(2) of the City's Code of Ordinances, for spalling repair to the pool deck and building by Charley Toppino and Sons, Inc. under the (ITB) 21-007 General Utilities and Infrastructure Services Contract authorized by Resolution 21-125 in a total amount not to exceed \$257,873.55.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[City Manager's Emergency Approval](#)

[MLK Pool Spalling Repair Plans](#)

[Resolution 21-125](#)

[Resolution 23-029](#)

- 9 *Awarding the Bid to Keystar, Inc. (Keystar) received in response to Invitation to Bid (ITB) #23-021 for John Jones Navigation Center (formally referred to KOTS) in the total amount not to exceed \$8,573,874.89; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Bid Memo ITB 23-021](#)

[Keystar Bid](#)

[DL Porter Bid](#)

[Pedro Falcon Bid](#)

[Res 19-295 Monroe Co.](#)

[Res 17-190 RFQ Architectural](#)

[Res 17-207 RFQ Structural Engineering](#)

[Res 19-328 Solar](#)

[Res 20-141 Architectural Services](#)

[Res 20-219 Horn Design Task Order](#)

[Res 22-067 Horn Design Change Order](#)

10

*Awarding the Bid of Pedro Falcon, Inc., in response to Bid ITB #24-002 for the repairs to the Smathers Beach Pavillions (Project IS72012303) for a total amount of \$178,650.00; Authorizing any necessary budget transfers or amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[ITB 24-002 Bid Memo](#)

[LARGE FILE Pedro Falcon Bid](#)

[LARGE FILE MCG Bid](#)

[LARGE FILE D.L. Porter Bid](#)

[LARGE FILE Barracuda Builders Bid](#)

[LARGE FILE Design Center Inc Bid](#)

[Smathers Beach-Pavillions-Plans Final](#)

[Resolution 22-194](#)

11

*Authorizing pursuant to Section 2-771(3)(c) of the Code of Ordinances the disposal of surplus and obsolete City-owned equipment and improvements, set forth in "Exhibit A".

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Exhibit A](#)

- 12 *Approving the purchase of Human Capital Management Platform and Implementation from Oracle and subcontractor Fourthsquare in an amount not to exceed \$268,998 for the transition of all Human Resources processes pursuant to Section 2-797(4)(b) of the Code of Ordinances, Best Interests of the City; Authorizing any necessary budget transfers and adjustments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Paylocity Quote](#)

[Neogov Quote](#)

[Oracle HCM SaaS Quote \(002\)](#)

[FourthSquare Proposal for City of Key West - ORC and HCM Cloud Implementa](#)

- 13 *Approving a Change Order in the amount of \$181,614.58 for the addition of solar panels and related work on Frederick Douglass Community Center Project, under the contract awarded to Keystar, Inc. per Res. #23-193; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Keystar PCO #08R2 Solar](#)

[Salt Energy FDCC](#)

[SALT Solar Product Datasheet](#)

[SALT Annual Service Plan for Frederick Douglass](#)

[Res 19-328 Solar panels for City buildings](#)

[Res 20-028 Amendment 1 K2M](#)

[Res 20-160 Amendment 2 K2M](#)

[Res 22-092 Solar Evaluation](#)

[Res 23-193 Notice of Award Keystar](#)

- 14 *Approving new tile mosaic artwork by Jane Carper over 12 columns along Fort Street and 16 columns along Allen Avenue at housing project at 918 Fort Street as a requirement of Art in Public Places.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Exhibit A - Signed COA and Decision Letter](#)

[Exhibit B - Murals Guidelines](#)

[Exhibit C - BVRAC October 2, 2023 Action Minutes - Final](#)

[Exhibit D - AIPP October 18, 2023 Action Minutes - Final](#)

Legislative History

12/19/23	Historic Architectural Review Commission	Approved
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- 15 *Authorizing the Key West Police Department to purchase matrix gym equipment from Commercial Fitness Products in an amount not to exceed \$59,235.55, using Federal Forfeiture Funds, pursuant to Key West Code of Ordinances, Sec. 2-797 (4)(b) - Best Interest; Authorizing necessary budget amendments and transfers; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Commercial Fitness Prdct. Quote](#)

[BGi Fitness Equipment Quote](#)

[Florida Fitness Systems Quote](#)

- 16 *Approving Amendment #1 to Task Order #10 for Black and Veatch in an amount not to exceed \$98,720.00 to provide additional services to design the polymer system associated with the Dewatering System Upgrade 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 Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[BV Extension-2 years](#)

[BV Rates](#)

[Resolution 20-142](#)

[Resolution 22-063](#)

[Resolution 17-207](#)

[TO 10 Amendment No. 1](#)

[Change Order 1](#)

- 17 *Approving a Change Order in the amount of \$19,661.91 in accordance with Section 2-845(a) of the Code of Ordinances to Charley Toppino and Sons, Inc. for additional concrete removal services at the Richard A. Heyman Environmental Protection Facility; Authorizing any necessary budget transfers and amendments; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Change Order 1](#)

[CTS-CO #1 Proposal](#)

[Resolution 23-286](#)

COMMENDATIONS

18 Tom Callahan Commendation - SOS Mission

Sponsors: City Commission

Attachments: [Newspaper Article](#)
[Commendation](#)

PROCLAMATIONS**19** Elizabeth Bishop Day

Sponsors: City Commission

Attachments: [Proclamation](#)

PRESENTATIONS**20** Christening of American Cruise Lines *American Glory*

Attachments: [Cover Memo 24-5436](#)

21 Employee Service Awards - Bridget Flores, Human Resources

Sponsors: City Manager Childress

Attachments: [Cover Memo - Employee Service Awards](#)

22 Keep Key West Beautiful Award

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

23 Tree Commission Annual Review - Misha McRAE, Chairman

Attachments: [Cover Memo 24-5460](#)

[Presentation](#)

24 Engineering Department Presentation

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

[Engineering Department Presentation](#)

DISCUSSION

25 General Obligation Bond Survey - Clearview Research,
Steven Vancore

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

[City of Key West Survey](#)

CITY MANAGER'S REPORT

26 January Department Reports

Attachments: [Building January 2024](#)

[Code January 2024](#)

[Community Services January 2024](#)

[Engineering January 2024](#)

[Finance January 2024](#)

[Fire January 2024](#)

[Housing January 2024](#)

[HR January 2024](#)

[IT January 2024](#)

[Parking January 2024](#)

[Planning January 2024](#)

[Police January 2024](#)

[Port and Marine Services January 2024](#)

[Property Management January 2024](#)

[Public Information January 2024](#)

[Transit January 2024](#)

[Utilities January 2024](#)

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

COMMISSION COMMENTS

RECESS

EVENING SESSION - 5:00 P.M.

RECONVENE - CALL TO ORDER

ROLL CALL**INVOCATION - Reverend Madeline Baum, Key West United Methodist Church****PLEDGE OF ALLEGIANCE - Steve McAlearney, Port/Marina Services Director****CITIZEN COMMENTS****APPROVAL OF AGENDA****PROCLAMATIONS****27 Black History Month**

Sponsors: Commissioner Lopez, Mayor Johnston, Commissioner Hoover, Commissioner Wardlow, Commissioner Weekley and Vice Mayor Kaufman

Attachments: [Proclamation](#)

ORDINANCES – FIRST READING

28 **Text Amendment of the Land Development Regulations -**
An Ordinance of the City of Key West, Florida, to amend Chapter 122 of the Land Development Regulations, entitled "Zoning", Article V entitled "Supplementary District Regulations, Division 3 entitled "Area Requirements", Section 122-1143 entitled, "Impervious Surface Requirements for all Uses" to allow waterbodies to be considered pervious; 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 severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-006 Impervious Surfaces](#)

[Staff Report](#)

Legislative History

1/18/24

Planning Board

Approved

29

Text Amendment of the Land Development Regulations -
An Ordinance of the City of Key West, Florida, to amend Chapter 86 of the Land Development Regulations entitled “General Provisions”, Section 86-9 entitled “Definition of terms”; Chapter 108 entitled “Planning and Development”, Article VI entitled “Landscaping”, Division 3 entitled “Regulations generally”, Section 108-452 entitled “Required sight distances for landscaping adjacent to public rights-of-way and points of access”; Chapter 114 entitled “Signs”, Article II entitled “Regulations”, Division 4 entitled “Certain boulevards”, Section 114-136 entitled “Definitions” and Section 114-137 entitled “Boulevard safety zone”; Chapter 122 entitled “Zoning”, Article V entitled “Supplementary district regulations”, Division 4 entitled “Accessory uses and structures”, Section 122-1183 entitled “Walls and fences” and Division 8 entitled “Land restrictions”, section 122-1406 entitled “Obstructions to visibility” to require the height of any structure to be measured from the crown of road; 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 severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-007 Height](#)

[Staff Report](#)

Legislative History

1/18/24

Planning Board

Approved

30

Proposed to be Postponed to March 14, 2024: Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida, to amend Chapter 114, entitled "Signs", by adding Division 5, entitled "Yard Sales"; Section 114-142 through 114-147, pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-005 Signs Ordinance](#)

[Staff Report](#)

Legislative History

1/18/24	Planning Board	Approved
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ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

31

Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida to amend Chapter 122 of the Land Development Regulations, Article III entitled "Conditional Uses", Section 122-63 "Review; enforcement" to allow administrative procedure over the voluntary revocation of Conditional Use Permits; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo -2nd Reading](#)

[Cover Memo - 1st Reading](#)

[PB RES 2023-032](#)

[Staff Report](#)

Legislative History

12/12/23	Planning Board	Approved
1/11/24	City Commission	Passed to Second Reading

32

Text Amendment of the Land Development Regulations -

An Ordinance of the City of Key West, Florida, amending Chapter 114 of the Code of Ordinances, entitled “Signs” by amending Section 114-2 titled “Posting Notices, Signs or Advertising Matter on Trees, Poles or Public Property” and by amending Section 114-103 titled “Prohibited Signs” and amending corresponding HARC Sign Guidelines to provide for exceptions for non-profit temporary banner signs and open house real estate signs; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Attachments: [Ordinance - 2nd Reading](#)

[Cover Memo](#)

[Ordinance - 1st Reading](#)

[PB RES 2023-033](#)

[Staff Report](#)

Legislative History

12/12/23	Planning Board	Approved
1/11/24	City Commission	Passed to Second Reading

33

An Ordinance of the City of Key West, Florida, amending Chapter 14 of the Code of Ordinances entitled “Buildings and Building Regulations”, Article I entitled “In General”, Section 14-2 entitled “Applicable Fees”; to amend administrative service, building, mechanical, electrical, plumbing, and after the fact permit fees; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: [Ordinance](#)

[Cover Memo](#)

[Utilization Report](#)

[Business Impact Estimate](#)

Legislative History

1/11/24	City Commission	Passed to Second Reading
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- 34 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances, titled "Administration", by amending Sec. 2-285 titled "Regular Meetings" by amending the monthly requirement for meetings of advisory boards to a minimum of bimonthly meetings; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

[Cover Memo](#)

[Business Impact Estimate](#)

Legislative History

1/11/24 City Commission Passed to Second Reading

- 35 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by adopting a new District Boundary Map for the City Commission's Electoral Districts; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Ramsingh

Attachments: [Ordinance](#)

[Cover Memo](#)

[2021 Map](#)

[Proposed 2024 Adjustment](#)

[Proposed Single Member District 1](#)

[Proposed Single Member District 2](#)

[Business Impact Estimate](#)

Legislative History

1/11/24 City Commission Passed to Second Reading

36

An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances, entitled "Businesses" by creating Article XV titled "Obscene Materials", Division 1, entitled "Display of Obscene Materials"; Creating Sec 18-800 titled "Intent"; Creating Sec 18-801 entitled "Definitions"; Creating Section 18-802 entitled "Regulations"; Creating Sec 18-803 entitled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Johnston, Commissioner Wardlow, Commissioner Weekley, Commissioner Carey, Commissioner Lopez and Commissioner Hoover

Attachments: [Ordinance - Original](#)
[Cover Memo - Original](#)
[Ordinance - Expanded](#)
[Cover Memo - Expanded](#)
[Business Impact Estimate](#)
[Affidavit](#)

Legislative History

1/11/24	City Commission	Passed to Second Reading
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ADJOURNMENT