



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, April 11, 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 - Pastor Buck Legreco , Grace Lutheran Church

PLEDGE OF ALLEGIANCE TO THE FLAG

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.**

MINUTES

1 *March 14, 2024

Attachments: [Minutes](#)

RESOLUTIONS

2 *Establishing a "Fantasy Zone" during certain hours and locations during Fantasy Fest 2024 in the City of Key West; Establishing responsibilities and procedures for the Tourist Development Association and for City staff.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)

[Cover Memo](#)

[2024 Fantasy Zone Map Exhibit A](#)

3 *Include shade areas in every public park.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)

[Cover Memo](#)

[PRAB Resolution](#)

Legislative History

3/28/24	Parks & Recreation Advisory Board	Approved
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4 *Authorizing the Rotary Club of Key West, Florida, Inc. to conduct a "Rotary Family Day" on Saturday, April 27, 2024, from Noon to 3:00 P.M. at the Key West Truman Waterfront Green Fields; Authorizing the Sale and Consumption of Alcoholic beverages on Saturday, April 27, 2024, from noon to 3:00 P.M.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Application & Approvals](#)

- 5 *Authorizing the Key West Business Guild, Inc. to conduct a Pride Street Fair on Saturday, June 8, 2024, from 7:00 A.M. to midnight (Set up 7:00 A.M.) on the 700, 800, and 900 blocks of Duval Streets and the Key West Pride Parade on Sunday, June 9, 2024, from 5:00 P.M. to 8:00 P.M. staging at the Quay Wall at the Truman Waterfront; Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the Sale and Consumption of Alcoholic Beverages within an enclosed area.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Application & Approvals](#)

[Postcards & Advertisement](#)

- 6 *Authorizing Sunrise Rotary Foundation of Key West, Inc. the use of City Property at 1405 Duval Street for a Key West Brewfest Festival on Saturday, August 31, 2024, from 3:00 P.M. to 8:00 P.M; Authorizing the Sale and Consumption of Alcoholic Beverages within the barricaded area.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[Application & Approvals](#)

- 7 *Approving the City Manager Performance Evaluation of Albert P. Childress (2024)

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Memorandum](#)

[Mayor Johnston](#)

[Vice Mayor Kaufman](#)

[Commissioner Carey](#)

[Commissioner Hoover](#)

[Commissioner Wardlow](#)

[Commissioner Weekley](#)

- 8 *Approving transfer of Mobile Vendor License (MVL) #493 from Colby Fisher to Michael Atkins, due to hardship.
- Sponsors:** City Manager Childress
- Attachments:** [Resolution](#)
[Cover Memo](#)
[Colby Fisher MBV Hardship Transfer](#)
[Colby Fisher VA Medical Letter](#)
[Application](#)
[Check](#)
- 9 *Authorizing pursuant to Section 2-797(3) the purchase of new splashpad features and related supplies, including pump system in an amount not to exceed \$66,332.00 from Landscape Structures, Inc. through the Sourcewell Cooperative Purchasing Contract #010521-LSI (Sourcewell), City of Key West Member Number 58115; Authorizing City Manager to execute necessary documents.
- Sponsors:** City Manager Childress
- Attachments:** [Resolution](#)
[Cover Memo](#)
[Quote](#)
[Landscape Structures Contract](#)
[Landscape Structures Contract Extension](#)
[Sourcewell Pricing](#)
- 10 *Awarding the Bid of Charley Toppino & Sons, Inc. (CTS) received in response to Invitation to Bid (ITB) #23-022 Clinton Square Pocket Park Improvements (Project IS72011804) in a total amount not to exceed \$1,075,410.00; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute the contract upon consent of the City Attorney.
- Sponsors:** City Manager Childress
- Attachments:** [Resolution](#)
[Cover Memo](#)
[Bid Memo](#)
[CTS Bid Proposal](#)
[Large File - Construction Plans](#)
[Task Order Summary](#)

- 11 *Approving a Mid-Year Budget Amendment for Fiscal Year 2023-2024.
- Sponsors:** City Manager Childress
- Attachments:** [Resolution](#)
- [Cover Memo](#)
- [Exhibit A](#)
- [General Fund Mid-Year Amendment Request](#)
- [Finance Mid-Year Amendment Request](#)
- [Legal Mid-Year Amendment Request](#)
- [Internal Improvements Fund Mid-Year Amendment Request](#)
- [Affordable Housing Trust Fund Mid-Year Amendment Request](#)
- [CDO Mid-Year Amendment Request](#)
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- 12 *Approving the attached "Amendment (1st Amendment) to Agreement" ID #2878 to extend the termination date to March 31, 2025 for Tourist Development Council funding of the Pavilions at Smathers Beach Project; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.
- Sponsors:** City Manager Childress
- Attachments:** [Resolution](#)
- [Cover Memo](#)
- [1st Amendment](#)
- [Resolution 22-194](#)
- [Time Extension Request Letter](#)
-
- 13 *Approving the attached "Amendment (1st Amendment) to Agreement" ID #2985 to extend the termination date to September 30, 2025 for Tourist Development Council funding of the Southernmost Plaza (Public Facilities) Project; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.
- Sponsors:** City Manager Childress
- Attachments:** [Resolution](#)
- [Cover Memo](#)
- [1st Amendment](#)
- [Resolution 23-238](#)
- [Time Extension Request Letter](#)

- 14 *Approving preliminary authorization to enter into a Development Agreement process and pursue negotiations with the Lessee for the property located at 3401 Duck Avenue (RE# 000647740-000000) pursuant to Section 90-679 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Sponsors: City Manager Childress

Attachments: [Resolution](#)
[Cover Memo](#)

- 15 *Approving Task Order TO-11-23 for Jacobs Engineering Group, Inc. in an amount not to exceed \$128,498.00 for Professional Engineering Services to design a grinder for Pump Station "F"; 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](#)
[TO 11-23 Grinder Installation at Pump Station F Proposal rev 3-25-2024](#)
[Resolution 23-029](#)
[Jacobs Engineering Group Contract](#)

- 16 *Approving Amendment #1 to Task Order #20-04 for Perez Engineering & Development Inc. in amount not to exceed \$26,000.00 to provide additional environmental permitting services to the Stormwater Outfall - Tide Valve Replacement 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](#)

[Amend 1 TO 20-04 KW Tide Valves](#)

[Perez Engineering Services Agreement](#)

[Resolution 17-207](#)

[Resolution 20-006](#)

[Resolution 20-142](#)

[Resolution 20-078](#)

PROCLAMATIONS

- 17 National Public Health Week

Sponsors: City Commission

Attachments: [Proclamation](#)

- 18 Sexual Assault Awareness Month

Sponsors: City Commission

Attachments: [Proclamation](#)

- 19 Arbor Day 2024

Sponsors: City Commission

Attachments: [Proclamation](#)

[Cover Memo](#)

PRESENTATIONS

- 20 Keep Key West Beautiful Business Award- The Dive Bar Shirt Club

Sponsors: City Manager Childress

Attachments: [Cover Memo](#)

- 21 USS Aries Presentation (Hydrofoil)
Sponsors: City Manager Childress
Attachments: [Presentation](#)
[Cover Memo](#)
- 22 Water Quality Partnership - Quarterly Report - Dr Patrick Rice, College of the Florida Keys
Sponsors: City Manager Childress
Attachments: [Presentation](#)
[Cover Memo](#)
- 23 Annual Report: Coral Reef Restoration Partnership, Mote Marine Lab
Sponsors: City Manager Childress
Attachments: [Presentation](#)
[Cover Memo](#)
- 24 Drone Show Presentation by Sky Elements Drone Shows
Sponsors: City Manager Childress
Attachments: [Cover Memo](#)
- 25 Key West Ambassadors Academy Class #40 Graduation
Sponsors: City Manager Childress
Attachments: [Cover Memo](#)
- 26 Planning Department Update - Katie P. Halloran, Planning Director
Sponsors: City Manager Childress
Attachments: [Cover Memo](#)
- 27 Employee Service Awards - Alice Parker, Human Resources
Sponsors: City Manager Childress
Attachments: [Cover Memo](#)
- 28 Employee of the Quarter Award - Alice Parker, Human Resources
Sponsors: City Manager Childress
Attachments: [Cover Memo](#)
[Nikki James Nomination](#)

RESOLUTIONS

- 29 Waiving Building Permit Fees in an amount not to exceed \$25,000.00 for improvement/construction of the Aviary at the Key West Wildlife Center located at 1801 White Street; Authorizing any necessary budget transfers or adjustments; Authorizing the City Manager to execute documents upon consent of the City Attorney.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)

[Cover Memo](#)

[Res 22-075 KW Wildlife Center Concession Agreement](#)

[Concession Agreement](#)

[Prior Concession Agreement](#)

[Corporate Documents](#)

- 30 Authorize funding and construction repairs and improvements to the Hockey Rink with the least amount of league interruption in Fiscal Year 2024-2025.

Sponsors: Vice Mayor Kaufman

Attachments: [Resolution](#)

[Cover Memo](#)

[PRAB Resolution 24-01](#)

Legislative History

3/28/24	Parks & Recreation Advisory Board	Approved
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- 31 Authorizing the initiation of an Annexation Study in accordance with Comprehensive Plan Policy.

Sponsors: City Manager Childress

Attachments: [Resolution](#)

[Cover Memo](#)

[PB RES 2024-008 Annexation Study](#)

Legislative History

2/15/24	Planning Board	Passed
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CITY MANAGER'S REPORT

32

Department Reports

Attachments: Utilities March 2024
Transit March 2024
Public Information March 2024
Property Management March 2024
Port and Marine Services March 2024
KWPD March 2024
Planning March 2024
Parking March 2024
IT March 2024
Human Resources March 2024
Housing March 2024
Fire March 2024
Finance March 2024
Engineering March 2024
Community Services March 2024
Code March 2024
Building March 2024

CITY ATTORNEY'S REPORT

CITY CLERK'S REPORT

33

January through March 2024

Attachments: [Report](#)

COMMISSION COMMENTS

RECESS

EVENING SESSION - 5:00 P.M.

RECONVENE - CALL TO ORDER

ROLL CALL

INVOCATION - Father John Baker, St. Mary's Basilica

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

APPROVAL OF AGENDA

PROCLAMATIONS

34 National Public Safety Telecommunicators Week

Sponsors: City Commission

Attachments: [Proclamation](#)

35 Emily Schulten Weekley Poet Laureate 2024

Sponsors: City Commission

Attachments: [Proclamation](#)

ORDINANCES – FIRST READING

36

An Ordinance of the City of Key West, Florida, amending Chapter 46, Section 358 of the Code of Ordinances to extend the DROP participation period from five years to eight years for members of the Police Officers' and Firefighters' Retirement Plan; Amending Chapter 46, Section 358 and Section 359 of the Code of Ordinances to extend the DROP participation period from five years to eight years for members of the Police Officers' and Firefighters' Retirement Plan; Providing for severability; Providing for repeal of inconsistent provisions; Providing for severability.

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

Attachments: [Ordinance](#)

[Cover Memo](#)

[Actuarial Report](#)

[Executive Summary from Pension Board](#)

37

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" in order to amend the definition of the terms "Accessory structure", "Building coverage", "Open space (green area)", and "Principal structure"; To rename and amend Chapter 122 entitled "Zoning", Article V entitled "Supplementary District Regulations", Division 4 entitled "Accessory Uses and Structures" to be titled "Accessory Uses, Accessory Structures, and Other Structures", Section 122-1181 entitled "Permitted and restricted uses" to maintain the required 5' setback for decking 30" or greater in height; and to add Section 122-1187 entitled "Covered patios, gazebos, and other roofed structures" to maintain rear and side yard setback__requirements for the construction of non-principal roofed structures; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-012 Text Amendment Accessory Structure Definition](#)

[Staff Report](#)

Legislative History

1/18/24	Planning Board	Postponed
2/15/24	Planning Board	Postponed
3/12/24	Planning Board	Approved

38

Text Amendment of the Land Development Regulations

- An Ordinance of the City Commission to amend Chapter 122, entitled "Zoning," Article II, entitled "Nonconformities," Section 122-26, entitled "Definitions," Section 122-27, entitled "Intent," Section 122-28, entitled "Replacement or Reconstruction," and Section 122-29, entitled "Repairs and Maintenance," Section 122-30 entitled "Abandonment of Nonconforming Use," Section 122-31 entitled "Noncomplying lots or building sites of record," Section 122-32 entitled "Additional regulations," Section 122-33 entitled "Eminent domain/public purpose waiver," and Section 122-34 entitled "Status of parcels during or after acquisition by eminent domain action or voluntary conveyance for public transportation or other public purpose"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-017 Text Amendment Nonconformities](#)

[Staff Report](#)

[Chapter 122, Article II - Nonconformities](#)

Legislative History

3/12/24

Planning Board

Approved

39

Text Amendment of the Land Development Regulations

- An Ordinance of the City of Key West, Florida amending Chapter 122 of the Code of Ordinances, entitled "Zoning", Article V, entitled "Supplementary District Regulations", Division 3, entitled "Area Requirements", Section 122-1145, entitled "Required yards," to amend yard coverage and nonconformity regulations to reduce regulatory barriers to the elevation of dwelling units; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-016 Text Amendment Home Elevations](#)

[Staff Report](#)

Legislative History

3/12/24

Planning Board

Approved

40

Text Amendment of the Land Development Regulations

- An Ordinance of the City of Key West Commission invoking the Zoning in Progress Doctrine; Declaring that the City is considering amendments to the Land Development Regulations to adopt inclusionary affordable and workforce housing standards for commercial properties along with additional measures to promote housing opportunities for local workers and those in need of affordable and workforce housing opportunities; Directing building and planning department staff to defer the acceptance and processing applications associated with the Limited Commercial (CL) and/or General Commercial (CG) districts which involve projects whose construction costs meet or exceed \$500,000.00 in value as determined by the Chief Building Official; Continuing this policy until new permit requirements and/or amended Land Development Regulations and Comprehensive Plan Policies are adopted by the City Commission or until after the passage of 180 days from the date this resolution, whichever occurs first; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Childress

Attachments: [Ordinance](#)

[Cover Memo](#)

[PB RES 2024-013 Zoning in Progress - Denial](#)

[Staff Report](#)

[PB RES 2024-009 Zoning in Progress](#)

[PB Staff Report](#)

Legislative History

2/15/24	Planning Board	Postponed
3/12/24	Planning Board	Denied

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

- 41 An Ordinance of the City of Key West, Florida, amending Chapter 2 of the Code of Ordinances entitled "Administration" by amending Section 2-64 "Residency Requirement for Mayor and City Commission Office" to conform with Charter Section 3.02, which requires on one-year continuous residency for Mayor and City Commission candidates; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Attorney Ramsingh

Attachments: [Ordinance](#)
[Cover Memo](#)

Legislative History

3/14/24 City Commission Passed to Second Reading

- 42 **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
2/8/24	City Commission	Passed to Second Reading
3/14/24	City Commission	Postponed

43

WITHDRAWN:**Text Amendment of the Land Development Regulations**

- A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to amend Land Development Regulations Chapter 86 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 buildings and all structures to be measured from the crown of road; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Sponsors: Commissioner Carey

Attachments: [Cover Memo](#)

Legislative History

1/18/24	Planning Board	Approved
2/8/24	City Commission	Passed to Second Reading

ADJOURNMENT