



# 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, July 16, 2019

5:00 PM

City Hall

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AMENDED JULY 15, 2019

**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**

**ROLL CALL**

**INVOCATION - Rev. Judith Elia, Unity of the Keys**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

**1**                      \*June 18, 2019

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

**COMMENDATION**

**2**                      Stuart Strickland

**Sponsors:** City Commission  
**Attachments:** [Commendation](#)

**PROCLAMATIONS**

**3** Official Symbol of Kindness

**Sponsors:** City Commission

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

**4** 8U & 14U Lady Conchs Softball Travel Teams' South Florida State Championships Day

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

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

**5** USS Billings Week

**Sponsors:** Mayor Johnston

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

**PRESENTATIONS****6** Recognizing Retirement for William Stafford (26 years)

**Sponsors:** City Manager Scholl

**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.

**RESOLUTIONS****7** \*Reappointing Billy Davis to the Key West Civil Service Board.

**Sponsors:** Mayor Johnston

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

[Resume](#)

**8** WITHDRAWN \*Designating the Truman Waterfront Amphitheater as "The Coffee Butler Key West Amphitheater"

**Sponsors:** Commissioner Davila and Commissioner Kaufman

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

- 9 PROPOSED TO BE POSTPONED: \*Requesting Monroe County and the State of Florida join the City of Key West in efforts to eradicate invasive iguanas on public property in the City of Key West.

Sponsors: Commissioner Lopez

Attachments: [Resolution](#)

- 10 \*Directing the City Manager to report to the City Commission on Sea Level Rise concerns and mitigation strategies in six months.

Sponsors: Commissioner Weekley and Commissioner Hoover

Attachments: [Resolution](#)

- 11 \*Authorizing MZF Mile Zero Fights, LLC to conduct an MMA, Muay Thai and Boxing Fights on Saturday, August 17, 2019 from 4:00 P.M. to Midnight at the Truman Waterfront Amphitheater (Access Day Prior and after event); 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 Scholl

Attachments: [Resolution](#)

[Application](#)

- 12 \*Authorizing Quepasa KW, Inc. to conduct the Pet Masquerade at the Truman Waterfront Amphitheater on Wednesday, October 23, 2019, from 4:30 P.M. to 9:30 P.M. ; 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 Scholl

Attachments: [Resolution](#)

[Application](#)

- 13                    \*Authorizing “Key West Half Marathon LLC” to conduct their 22nd Annual Key West Half Marathon and 5k Run on Saturday, January 18, 2020 12:00 Noon to 6:00 P.M. and Sunday, January 19, 2020 from 6:00 A.M. to noon at the Half Shell Raw Bar 231 Margaret Street; Authorizing certain street closures thereof during the event; Granting a special event permit pursuant to Section 6-86 of the Code of Ordinances from 6:30 A.M. to 7:30 A.M.; Pursuant to terms and conditions set forth by the City Manager.

Sponsors: City Manager Scholl

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

- 14                    \*Granting a Special Event Permit pursuant to Section 6-86 of the Code of Ordinances for the Cone/Elswick Wedding Ceremony and Reception at the West Martello Tower 1100 Atlantic Boulevard during the hours of 6:00 P.M. to Midnight on Saturday, February 8, 2020.

Sponsors: City Manager Scholl

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

- 15                    \*Approving the attached Adendum 2 to the Commercial Contract between the City of Key West and the Housing Authority of the City of Key West for 5220, 5224, 5228 and 5230 College Road; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney

Sponsors: City Manager Scholl

Attachments: [Resolution](#)  
[Exec Summary](#)  
[Second Addendum](#)  
[Commercial Contract](#)  
[Res No 19-086](#)

- 16 \*Approving the attached Amended Note, Mortgage, and Ground Lease (as to Key West Housing Authority) for Douglass Square Apartments, Extending the reporting and affordable restrictions until October 31, 2028; Authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Amended and Restated Note](#)

[Second Amended Fourth Mortgage](#)

[Amendment to Ground Lease](#)

[Fourth Mortgage 1990](#)

[Original Mortgage 1989](#)

[Ground Lease 1989 \(Large File\)](#)

- 17 \*Approving transfer of mobile vendor license (MVL) #2018-000222 from James Patrick Carr (Dirty Water Dogs Key West, LLC) to Joseph A. Sweeney due to hardship.

**Sponsors:** City Manager Scholl

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

[Hardship Letter](#)

- 18 \*Approving and Authorizing the repair of the City Marina at Garrison Bight Boat Ramp by RDI-KW, LLC, as described in the attached price quote dated June 21, 2019, in an amount not to exceed \$31,400. 00 in the best interest of the City, Pursuant to Section 2-797 (4)(b) of the code of ordinances; Authorizing any necessary budget adjustments; Authorizing the City Manager or designee to execute any necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[RDI-KW, LLC Proposal](#)

[Negotiated Pricing Bid](#)

[ITB 19-016; Boat Ramp Repair Bid Opening](#)

[ITB #19-016 Boat Ramp Repair \(Large File\)](#)

- 19                    \*Authorizing the City of Key West to enter into a revocable license agreement for nonpermanent use of city property with Jill Snodgrass, to allow the operation of a Key West Farmers Market at Truman Waterfront Park each Thursday, upon additional terms and conditions contained in the agreement (August 1, 2019 through July 30, 2020).

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[License Agreement for Commercial Use 6.27](#)

[Organizational documents](#)

[Letter of Support](#)

- 20                    PROPOSED TO BE POSTPONED: \*Authorizing the City of Key West to enter into a revocable license agreement for nonpermanent use of city property with Visualize Entertainment, Inc. to allow operation of Key West Outdoor Movies with vendors two times monthly for an eight-month period, upon additional terms and conditions contained in the agreement (October 2019 through May 2020).

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Revocable License Agreement](#)

[Event Details and Proposal](#)

[Corporate Filings](#)

21

\*Authorizing the City Manager to execute a Satisfaction of Lien in the case of Erwin Mayer, property owner and Marie Delus, mobile home owner of 1300 15 Court, Lot 11.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[NOCV NOH](#)

[Findings and Orders](#)

[Lien](#)

[Mitigation of Lien Request](#)

[Mitigation letter](#)

**Legislative History**

6/18/19

City Commission

Postponed

22

\*Authorizing the City Manger to enter into an agreement with Andrea Shaye Morgan, through her representative attorney Robert Cintron, as property owner of 621 Eaton Street, permitting a release of lien upon payment by the owners of the amount of \$20,000.00.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Notice of Violation Notice of Hearing](#)

[Special Magistrate Findings and Order](#)

[Notice of Lien Hearing](#)

[Lien](#)

[Mitigation of Lien Request](#)

- 23                    \*Authorizing a design task order to Stantec Consulting Services, Inc. for Greene Street sidewalk and paving improvements from Whitehead Street to Elizabeth Street, in an amount not to exceed \$50,497.00; authorizing any necessary budget adjustments; authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[2019-06-25 Stantec Proposal](#)

[Resolution 17-207](#)

[Stantec Engineering Services Agreement](#)

- 24                    \*Denying the request for mitigation of lien by the estate of Charles Hoffman, through its personal representative attorney Albert Kelley, as property owner of 1420 Whalton Street, permitting a release of lien upon payment by the owners of the amount of \$8,750.00.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Liens](#)

[Letter from Attorney](#)

[Mitigation of Lien Form](#)



- 25                    \*Ratifying an emergency procurement dated June 19, 2019 approved by the City Manager as provided for under section 2-797(2) and 2-797(4) of the code of ordinances, for Ring Power Corporation in an amount not to exceed \$72,738.00 to procure a caterpillar 350 KW 3-phase diesel generator for the Key West Police Department; authorizing any necessary budge transfers.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Declaration Letter of Emergency](#)

[Ring Power Quote](#)

[Pantropic Power Quote](#)

[Florida Detroit Diesel Quote](#)

- 26                    \*Ratifying an emergency procurement dated June 28, 2019 by the City Manager, as provided for under Section 2-797(2) of the Code of Ordinances, authorizing a task order in an amount not to exceed \$40,768.40 for engineering and design for repairs at the Fleming Key utility bridge to Artibus Design, LLC; authorizing any necessary budget transfers.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Emergency Declaration](#)

[Task Order](#)

- 27                    \*Relating to the collection and disposal of solid waste in Key West, Florida; Describing the method of assessing solid waste costs againt assessed property located within the City of Key West; Determining the solid waste cost and the solid waste service assessments; Directing the preparation of an assessment roll; Authorizing a public hearing and directing the provision of notice thereof.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

- 28 PROPOSED TO BE POSTPONED: Approving the attached Emploment Agreement between the City of Key West and Gregory W. Veliz for the position of City Manager.

**Sponsors:** City Manager Scholl

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

[Res 19-166](#)

[Employment Agreement](#)

- 29 QUASI-JUDICIAL: Minor Development Plan - 501 Front Street (RE # 00000100-000000) - A request for minor development plan approval to allow for the addition of 706-square-feet of new floor area to an existing structure located in the Historic Residential Commercial Core (HRCC-1) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Staff Report](#)

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

[Floodplain Comments](#)

[Keys Energy Comments](#)

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

[PB-RES 2019-26](#)

[PB-RES 2019-27](#)

[HARC Approval Letter](#)

[Final Landsape Plan Approval Memo 6-12-19](#)

**Legislative History**

1/24/19	Development Review Committee	Received and Filed
3/21/19	Planning Board	Postponed
4/18/19	Planning Board	Passed

30

**QUASI JUDICIAL HEARING: EASEMENT - 403-405  
CAROLINE STREET**

Approving an Easement that extends a total of 180.0 square feet, more or less, to address the encroachment of an existing historic second-story balcony in order to maintain an overhang onto the Whitehead Street rights-of-way. The property is located at 403-405 Caroline Street (RE # 00001610-000000) within the Historic Residential/Office (HRO) Zoning District pursuant to Sections 2-938 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing fees and conditions.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Agreement](#)

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

[Liability Insurance](#)

[Site Photos \(Large File\)](#)

**Legislative History**

5/23/19	Development Review Committee	Received and Filed
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**ORDINANCES – FIRST READING**

31

An Ordinance of the City of Key West, Florida, Amending Chapter 66, Article IV of the Code of Ordinances entitled "Business Tax" by amending Section 66-109 to provide for an adjustment in fees pursuant to Florida Statutes; Providing for Severability; Providing for repeal of inconsistent provisions.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Florida Statute](#)

- 32 An Ordinance of the City of Key West, Florida, amending Table 1-1.1.5 and Policy 1-1.1.8, entitled “Allowed Uses in the Historic Residential Commercial Core” of the City’s Comprehensive Plan; pursuant to Chapter 90, Article VI, Division III; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date; and providing for the inclusion into the City of Key West Comprehensive Plan.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Resolution](#)

[Staff Report for the Planning Board](#)

**Legislative History**

5/16/19 Planning Board Passed

- 33 An Ordinance of the City of Key West, Florida amending Chapter 122 of the land development regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 6 entitled “Historic Preservation Districts”, Subdivision III, entitled “HRCC-2 Key West Bight District”; pursuant to Chapter 90, Article VI, Division 2; providing for severability; providing for repeal of inconsistent provisions.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Staff Report to the Planning Board](#)

[Planning Board Resolution 2019-35](#)

**Legislative History**

5/16/19 Planning Board Passed

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

34

PROPOSED TO BE POSTPONED - An Ordinance of the City of Key West, Florida amending Chapter 86 of the Land Development Regulations, entitled "General Provisions, Section 86-9, entitled "Definition of Terms" and Chapter 108, entitled "Planning and Development", Section 108-997, entitled "Period of Allocation and Ranking/Review of Applications"; pursuant to Chapter 90, Article VI, Division 2; providing for severability; providing for Repeal of Inconsistent Provisions; providing for an effective date.

**Sponsors:** City Manager Scholl

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

[Executive Summary](#)

[Ordinance](#)

[Staff Report](#)

[Sustainability Board's Friendly Amendment to Cistern Demotion in BPAS](#)

[Text Amendment Language Recommendation from the SAB](#)

**Legislative History**

2/21/19	Planning Board	Postponed
3/21/19	Planning Board	Approved
5/7/19	City Commission	Postponed
6/4/19	City Commission	Passed to Second Reading
6/18/19	City Commission	Postponed

35

An Ordinance of the City of Key West, Florida amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by creating Article XIII entitled "Mobile Billboards" and by creating Sec. 70-802 entitled "Purpose"; By creating Sec. 70-803 entitled "Definitions"; By creating Sec. 70-804 entitled "Prohibitions"; By creating Sec.70-805 entitled "Exceptions"; by creating Sec. 70-806 entitled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions.

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

[Executive Summary](#)

**Legislative History**

6/18/19	City Commission	Passed to Second Reading
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- 36 PROPOSED ADD-ON: Urging that any reauthorization of the National Flood Insurance Program must include meaningful affordability protections for all policy holders, specifically a lower cap on annual increases; Directing the City Clerk to provide copies of this Resolution to certain legislators; Providing for an effective date.

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

**Attachments:** [Resolution](#)  
[H.R. 3167 \(Large File\)](#)

- 37 PROPOSED ADD-ON: Extending the Duval Promenade Pilot Program, also known as Mall on Duval, through February 17, 2020; Authorizing the City Manager to execute any necessary documents upon review and consent of the City Attorney.

**Sponsors:** Commissioner Weekley and Mayor Johnston

**Attachments:** [Resolution](#)  
[Res No 19-116](#)  
[Carl Fischer Presentation](#)

#### CITIZEN COMMENTS

#### COMMISSION COMMENTS

#### ADJOURNMENT