



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Tuesday, September 1, 2020

5:00 PM

VIRTUAL MEETING

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.

Attachments: [How to view/participate in virtual meeting](#)

CALL MEETING TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

ADMINISTER OATH OF OFFICE:

Commissioner Jimmy Weekley (District 1)
Commissioner Billy Wardlow (District 3)
Mayor Teri Johnston

PRESENTATIONS

- 1 20 Year Service Award and Retirement
 Bonnita Badgett Retiring 08/31/2020.
 Sponsors: City Manager Veliz
- 2 23 Year Anniversary and Retirement
 Officer Brenda Sellers Retiring 09/02/2020.
 Sponsors: City Manager Veliz
- 3 The Arts and Culture Master Plan for Truman Waterfront Park
 Sponsors: Commissioner Hoover
 Attachments: [Truman Waterfront Park Master Arts Plan](#)

 Legislative History
 2/19/20 City Commission Postponed
 3/3/20 City Commission Postponed

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 *August 19, 2020

Attachments: [Minutes](#)

RESOLUTIONS

5 *Approving the proposed Settlement Agreement in Geraldine Bergman-Falcon vs. The City of Key West Monroe County Circuit Court Case No.: 2016-CA-289-K in the amount of \$90,000.00; Authorizing the City Manager to execute all Settlement documents upon the advice and consent of the City Attorney.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)

[Bergman Summary of Case](#)

[Bergman Release and Settlement](#)

[Bergman Settlement Agreement](#)

- 6 *Approving the attached "Federally-Funded Subaward and Grant Agreement" for FEMA Hazard Mitigation Grant Program (HMGP) funds for Project Number 4337-441-R / Agreement Number H0505 Fire Station #1 Wind Retrofit Project in the amount of \$66,411.75 Federal / \$22,137.25 City Match (FAIN: FEMA-DR-4337-FL). Authorizing the City Manager to approve and execute the Subaward and Grant Agreement and related documents, upon consent of the City Attorney; Authorizing the City Manager to approve and execute subsequent amendments to this grant agreement which may adjust to increase grant funding allocations to the City or modify the project scope; Authorizing any necessary budget amendments.

Sponsors: City Manager Veliz

Attachments: [Resolution](#)

[Executive Summary](#)

[4337-441-R - Contract for Execution](#)

[Resolution 18-205](#)

- 7 *Authorizing the purchase 30 Axon Fleet 2 Unlimited In-Car Camera Systems and related equipment, pursuant to Key West Code of Ordinances Section 2-844 (a) (brand name), 2-797 (1)(b) (sole source) and 2-797 (4) (b) (best interests) from Axon Enterprise, Inc. in a total amount of \$249,900.00 to be paid in equal installments of \$49,980.00 per year, for a period of five years; Authorizing budget transfers and adjustments; Authorizing the City Manager or designee to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager Veliz

Attachments: [Resolution](#)

[Executive Summary](#)

[Key West Fleet 2 Quote](#)

8

Public Hearing - Authorizing a \$111.03 Annual Stormwater Utility ESU User Fee Charge for the City's Stormwater Annual Rate Resolution for FY2021.

Sponsors: City Manager Veliz

Attachments: [Resolution](#)

[Executive Summary](#)

Legislative History

8/19/20 City Commission Postponed

9

Rescinding Resolution 20-080, and replacing it with the commercial rent adjustments contained herein; Authorizing a rent abatement for commercial tenants, including General Fund and Garrison Bight, for the month of April 2020; Authorizing a rent deferment for up to two months, with an up to 24-month repayment period for commercial tenants affected by the COVID-19 Emergency for the months of May and June 2020, upon individual request by tenants in good standing which meet specific criteria set forth in the Memorandum by Doug Bradshaw, Director Port and Marine Services, dated August 24, 2020; Providing for adjusted deferral payment terms for expiring and/or renewing leases; Providing for late payment penalties; Authorizing the payment of 75% (25% abated) of Base Rent for commercial (General Fund and Garrison Bight) tenants for the months of August and September 2020; Directing city staff to analyze and provide recommendations to the City Manager or designee with regard to rent adjustments, if any, for the months of October through December 2020 at a later date; Authorizing the City Manager or designee to approve and execute lease addendums or account adjustment to effectuate the rent abatement, deferments and adjustments.

Sponsors: City Manager Veliz

Attachments: [Resolution](#)

[Rent Relief Coronavirus General Fund](#)

[Rent Relief Revenue Impact Table](#)

[Rent Relief Tenant Details](#)

[Resolution 20-080](#)

[Public Comment - Boatman Assoc](#)

[Public Comment - Captain Art Duplessis](#)

[Public Comment -Captain Chris Garcia](#)

[Public Comment - Captain Gil Scott](#)

[Public Comment -Captain Damon Santelli](#)

[Public Comment-Captain Mike Weinhofer](#)

[Public Comment-Captain Walter Kirchner](#)

[Public Comment-Captain William O Wickers III](#)

[Public Comment-Hooked Up](#)

[Public Comment-The Ultra Grand Slam](#)

[Public Comment-Charter Boat Assoc](#)

[Public Comment-CowboyCharters](#)

[Public Comment-Gulf Stream IV](#)

[Public Comment-JollyRogerII](#)

[Public Comment-KW Sailing Adventure](#)

10

**Proposed to be Postponed until October 6, 2020:
Major Development Plan - Mallory Square (RE #
00072082-001100, 00072082-001400, 0072082-003700,
and 00000170-000000) - A request for approval of a major
development plan for redevelopment consisting of; a partial
demolition of a historic structure, the redevelopment of
nonconforming restaurant use, the conversion of a historic
structure into a museum, and the creation of a park at a
property located in the HPS zoning district pursuant to
Sections 108-91 and 122-28 of the Land Development
Regulations of the Code of Ordinances of the City of Key
West, Florida.**

Sponsors: City Manager Veliz

Attachments: [Resolution](#)

[Executive Summary](#)

[Request to Postpone - Mallory Square](#)

[*Large File* Application](#)

[Plans](#)

[PB-RES 2019-80 Mallory Square](#)

[2019 Tropical Soup PB Staff Report](#)

[*Large File* Planning Board Approval \(Resolution 2016-51\)](#)

[Final Landscape Plan Approval](#)

[Letter of Support](#)

[*Large File* Opposition to Approval](#)

[Response from Applicant Joe Walsh](#)

[Comments from Smith/Hawks](#)

[Mallory Square Administrative Determination](#)

Legislative History

8/18/16	Planning Board	Postponed
9/15/16	Planning Board	Postponed
10/20/16	Planning Board	Passed
9/5/18	City Commission	Postponed
10/2/18	City Commission	Postponed

10/16/18	City Commission	Postponed
12/4/18	City Commission	Postponed
1/15/19	City Commission	Postponed
2/20/19	City Commission	Postponed
4/2/19	City Commission	Postponed
5/7/19	City Commission	Postponed
8/4/20	City Commission	Postponed

11

Request for Postponement by Staff:

Development Agreement - Granting preliminary authorization to enter into the Development Agreement process and pursue negotiations with the property owner for the property located at 1900 North Roosevelt Blvd. (RE# 00051820-000000) and 1910 North Roosevelt Blvd. (RE# 00051840-000000) 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 Veliz

Attachments: [Resolution](#)

[Executive Summary](#)

[Public Comment - Covan](#)

[Public Comment - Dawkins](#)

Legislative History

8/19/20	City Commission	Postponed
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ORDINANCES - FIRST READING

12

An Uncodified Ordinance of the City of Key West, Florida, to mandate that certain business establishments who wish to allow seating at bar counters for their patrons adhere to social distancing requirements; Declaring this Ordinance to be an emergency measure; Providing for penalties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective and sunset date.

Sponsors: Vice Mayor Kaufman and Commissioner Wardlow

Attachments: [Ordinance](#)

- 13 An Ordinance of the City of Key West, Florida, amending Chapter 62 of the Code of Ordinances entitled "Streets and Sidewalks" by amending Article V, entitled "Newsracks" amending the amount of permitted newsracks on sidewalks adjacent to Duval Street; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Mayor Johnston

Attachments: [Ordinance](#)

[Exec Summary](#)

- 14 An Ordinance of the City of Key West Florida, amending Chapter 42 of the Code of Ordinances, titled "Miscellaneous Offenses" by adding Section 42-19 titled "Face Coverings" to mandate that individuals wear a face covering in public; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Veliz

Attachments: [Ordinance](#)

[Public Comment - Holz](#)

ORDINANCES - SECOND READING (Public Hearing)

- 15 An Ordinance of the City of Key West, Florida, amending Chapter 106 of the Code of Ordinances, entitled "Performance Standards", Article II, Division 2 entitled "Outdoor Displays", by amending Sections 106-51, 106-52, 106-53, adding a new Section 106-55 to provide for appeals, and renumbering former Sections 106-55 and 106-56; Amending Chapter 90 of the Land Development Regulations entitled "Administration", Section 90-428 entitled "Final Decisions of Historic Architectural Review Commission"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Veliz

Attachments: [Ordinance](#)

[Executive Summary](#)

[Master Table of Active Outdoor Display Exceptions](#)

[Planning Board Resolution 2020-26](#)

[Staff Report for Planning Board](#)

[Draft Planning Board Resolution](#)

[Ordinance 08-04](#)

Legislative History

7/16/20	Planning Board	Approved
8/19/20	City Commission	Passed to Second Reading

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT