



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, November 20, 2018

6:00 PM

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.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

CALL MEETING TO ORDER - 6:00 P.M.

ROLL CALL

Present 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

INVOCATION - Fr. John Baker, Basilica St. Mary Star of the Sea

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The Agenda was approved as changed unanimously.

PROCLAMATIONS

1 America Recycles Day

Sponsors: Mayor Johnston

Attachments: [Proclamation](#)

Received and Filed

2 Transgender Day of Remembrance

Sponsors: Mayor Johnston and Commissioner Weekley

Attachments: [Proclamation](#)

Received and Filed

3 World AIDS Day

Sponsors: Mayor Johnston and Commissioner Lopez

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

4 Leadership Monroe Class Project -
Don't Pass It Up, Pick It Up - Misha McRae

Sponsors: City Manager Scholl

Attachments: [LMC XXVI: Don't Pass It Up - Pick It Up](#)

Received and Filed

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

5 *November 7, 2018 (Regular)

Attachments: [Minutes](#)

Approved

RESOLUTIONS

6 Establishing the duties of the “Mayor Emeritus”; Establishing that the “Mayor Emeritus” shall serve at no cost to the taxpayers; Naming Craig Cates “Mayor Emeritus”.

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

Attachments: [Resolution](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Weekley, that the Resolution be Passed. The motion passed by a unanimous vote.

Enactment No: Res 18-351

7 *Naming Commissioner Sam Kaufman as Vice Mayor.

Sponsors: Mayor Johnston

Attachments: [Resolution](#)

Passed

Enactment No: Res 18-352

8 *Authorizing MZF Mile Zero Fights, LLC to conduct a Pro MMA Boxing Event at the Truman Waterfront Amphitheatre on Saturday, January 19, 2019 from 10:00 A.M. to 10:00 P.M. (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](#)

Passed

Enactment No: Res 18-353

9 *Approving the attached 2019 meeting schedule for the Key West City Commission

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Meeting Dates](#)

Passed

Enactment No: Res 18-354

10 *Approving under the General Architectural Services Contract with Bender & Associates Architects, P.A., a Work Order for Architectural Services for the Mole Pier Boat Washdown Facility in an amount not to exceed \$25,500.00.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
[Executive Summary](#)
[Bender Proposal](#)
[Boat Wash RECO Approval](#)
[Boat Wash Statement of Work](#)
[Resolution 17-190](#)
[Bender Agreement](#)
[Original Bender Work Order](#)
[Original Design RECO Approval.pdf](#)

Passed

Enactment No: Res 18-355

- 11 *Approving the attached Merger Notice between LaSalle Hotel Properties and Pebblebrook Hotel Trust, as owners of Sunset City, LLC (Tenant), a wholly owned subsidiary of LaSalle Hotel Operating Partnership, LP (Guarantor) for 1405 Duval Street d/b/a the Southernmost Beach Café; Authorizing the City Manager to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Tenant Merger Notice with Landlord Agreement](#)
 [Letter of Credit](#)
 [SMB LLC Lease Resolution 09-110](#)
 [Lease Assignment to Sunset City LLC Resolution 13-211](#)
 [Lease Renewal](#)

Passed

Enactment No: Res 18-356

- 12 *Authorizing Supplemental Agreement No. 1 (SA) to Local Agency Program (LAP) Agreement (FM# 440023-1) between the City of Key West and the Florida Department of Transportation (FDOT) to modify the scope of work for the Cultural Resources Assessment for the Bahama Village Connectivity Project; Authorizing the City Manager to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Supplemental Agreement No. 1](#)
 [LAP SA1 - Exhibit A](#)

Passed

Enactment No: Res 18-357

- 13 *Approving a proposed Settlement Agreement in the case of Ronald Anglea v. City of Key West (Case No.: 2016-CA-918-K) in the amount of \$32,000.00; Authorizing the City Manager to execute all documents consistent with the Settlement Agreement, upon the advice and consent of the City Attorney.

Sponsors: City Attorney Smith

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Settlement Agreement](#)

Passed

Enactment No: Res 18-358

Approval of the Consent Agenda

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow to Approve the Consent Agenda. The motion carried unanimously.

- 14 Authorizing the Commercial Contract for 3420 Northside Drive in the amount of \$4,950,000.00 and the terms and conditions contained in the Contract and authorizing the City Manager to initiate due diligence inspections and the referendum process in the event the property inspections are acceptable; And to execute necessary documents.

Sponsors: City Manager Scholl

Attachments: [Resolution](#)
 [Commercial Contract](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 18-359

ORDINANCES – FIRST READING

15

An Ordinance of the City of Key West, Florida, amending Chapter 108 of the Land Development Regulations, to create a new Article XII, to be titled the “Workforce Affordable Housing Initiative”, for the purpose of implementing Comprehensive Plan Objective 1-1.17, authorizing the acceptance of 300 “Affordable-Early Evacuation Pool” BPAS Units; Pursuant to Chapter 90, Article VI, Division 2; Providing for definitions, findings, purpose and intent, applicability, application, review of application, and monitoring; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Press Release](#)
[Planning Board Meeting Minutes 10.18.18](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Wardlow, that the Ordinance be Passed to Second Reading. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

- 16 An Ordinance of the City of Key West, Florida, amending the City's Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, "Future Land Use Element"; Objective 1-1.17 shall be known as the "Workforce-Affordable Housing Initiative" providing for an additional 300 affordable allocations to an allocation pool to be identified as the "Affordable-Early Evacuation Pool", pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; and Providing for an effective date.

Sponsors: City Manager Scholl

Attachments: [Ordinance](#)
[Executive Summary](#)
[Press Release](#)
[Minutes from the Planning Board Meeting on 10.18.18](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Kaufman, that the Ordinance be Passed to Second Reading. The motion passed by a unanimous vote.

ORDINANCES - SECOND READING (Public Hearing)

- 17 An Ordinance of the City of Key West, Florida, amending Chapter 18 of the Code of Ordinances entitled "Businesses" by amending Section 18-26 to provide definitions; Adding Section 18-29 to amend penalties; Adding Section 18-30 to require warning signs on premises of establishments which sell alcoholic beverages prohibiting the sale or dispensing of alcohol for persons under 21 years of age, providing penalties; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Hoover

Attachments: [Ordinance](#)

A motion was made by Commissioner Hoover, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 18-27

18

An Ordinance of the City of Key West, Florida, amending Chapter 70 of the Code of Ordinances entitled "Traffic and Vehicles" by amending Section 70-121 to provide a penalty for violation of Section 70-265; Adding Article IV - "Parking Stopping and Standing," Division 8, "Non-resident Truman Waterfront Parking Permit Program", by adding Section 70-265, to provide permit holders the right to park in the City's metered parking lots located at Truman Waterfront for a period of time not to exceed four hours per day; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: City Manager Scholl

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

A motion was made by Commissioner Kaufman, seconded by Commissioner Lopez, that the Ordinance be Adopted. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 18-28

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 7:31 P.M.