



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Tuesday, October 6, 2020

5:00 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.

CALL MEETING TO ORDER - 5:03 P.M.

ROLL CALL

Absent 1 - Commissioner Davila

Present 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The agenda was unanimously approved as amended.

PROCLAMATIONS

1 Fire Prevention Week

Attachments: [Proclamation](#)

Received and Filed

PRESENTATIONS

2 Key West Welcome Festival - Veronica Stafford

Attachments: [Presentation](#)

Received and Filed

3 The Arts and Culture Master Plan for Truman Waterfront Park

Attachments: [Truman Waterfront Park Master Arts Plan 10 20](#)

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

4 *September 9, 2020 (Special)

Attachments: [Minutes](#)

5 *September 16, 2020 (Regular)

Attachments: [Minutes](#)

Passed

6 *September 21, 2020 (Special)

Attachments: [Minutes](#)

Passed

RESOLUTIONS

- 7 *Authorizing a \$2,000.00 donation from the Law Enforcement Officers Trust Fund (State Forfeiture Funds), pursuant to Florida Statutes Section 932.7055, to Wesley House Family Services.

Attachments: [Resolution](#)
[Executive Summary](#)
[Wesley House Crime Prevention](#)

Passed

Enactment No: Res 20-187

- 8 *Approving an amendment to the City of Key West Planning Department Fees by adding "Building Permits Application Review Fee - Based on Construction Cost"; Providing for annual fee adjustment..

Attachments: [Resolution](#)
[Executive Summary](#)
[Proposed Fee Schedule 2020](#)

Passed

Enactment No: Res 20-188

- 9 *Approving the attached form of "Recreational Dockage Agreement" and "Recreational Dockage Rules" for recreational tenants of the City Marina at Garrison Bight; Approving a \$20 per foot rate for new recreational dockage customers, and adjusting current recreational dockage tenant rates by \$4.12/foot effective on October 1, 2021, and an additional \$4.12/foot effective on October 1, 2022.

Attachments: [Resolution](#)
[Executive Summary](#)
[City Marina Recreational Dockage Agreement - 9-24-20](#)
[Recreational Marina rules](#)
[Pleasure Boat Dockage Agreement-to be replaced](#)

Passed

Enactment No: Res 20-189

Approval of the Consent Agenda

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

10

Authorizing a waiver of Major Development Plan Application Fees for Community Health of South Florida, Inc. for construction of a community health clinic in City-owned property at 727 Fort Street in an amount not to exceed \$4,000.00.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [BV Priorities List](#)
 [Res 18-038 Approve BV Visioning Plan](#)
 [BV Visioning & Capital Projects Plan](#)
 [RFP 004-20 Bahama Village Medical Clinic](#)
 [*Large File* CHI Proposal](#)

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

Absent: 1 - Commissioner Davila

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 20-190

11

Approving a one-year extension of the "Consulting Agreement" between the City of Key West and Langton Associates, Inc., for grant professional services for the period of October 1, 2020 through September 30, 2021.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 19-270 Consulting Agreement](#)
 [Grant History 2019-2020](#)

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

Absent: 1 - Commissioner Davila

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 20-191

12

Approving the attached "Amendment to the Public Transportation Grant Agreement" between the Florida Department of Transportation (FDOT) and the City of Key West, for FY 2021 Duval Loop Fixed Route/Service Development Program (Contract G0Z32/FM #438930-1-84-01) in a reimbursement amount of up to \$500,000.00 in operating assistance (50% of total project cost of \$1,000,000.00) and to extend the contract expiration date; Authorizing the City Manager to execute necessary documents and effectuate any necessary budget amendments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [PTGA.Amend.1 G0Z32](#)
 [Resolution 19-334](#)

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

Absent: 1 - Commissioner Davila

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 20-192

- 13 Approving a work order under the City's Pavement Markings, Striping & Roadway Signage Contract with Charley Toppino & Sons, Inc. (CTS) in a total amount not to exceed \$54, 531.39 for pavement marking inclusive of all row and permitting fees for streets referenced in the attached work order; Authorizing budget adjustments if necessary; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Work Order](#)
 [Res 20-095 CTS Pavement Marking](#)
 [ITB 20-007 Pavement Markings 2020](#)
 [Res 18-294 Resident Pkg Pgm Percentages](#)

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

Absent: 1 - Commissioner Davila

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 20-193

- 14 Directing the City Manager to cease negotiations for a Lease Agreement between the City and Tropical Soup Corporation for Parcels 1, 2, 3, and 4 at Mallory Square; Directing the City Manager to make recommendations to the City Commission/CRA for the best use of the property.

Attachments: [Resolution](#)
 [Previous Legislative History - Mallory Square](#)
 [Letter - Joe Walsh](#)
 [Letter - George Wallace](#)

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

No: 2 - Vice Mayor Kaufman and Mayor Johnston

Absent: 1 - Commissioner Davila

Yes: 4 - Commissioner Hoover, Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Enactment No: Res 20-194

15

Quasi-Judicial Hearing:

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.

Attachments:

[Resolution](#)

[Executive Summary](#)

[Mallory Square Executive Summary Rebuttal](#)

[Previous Legislative History - Mallory Square](#)

[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](#)

Withdrawn

16

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.

Attachments: [Executive Summary](#)
[Presentation StorCon Development, LLC](#)
[Elevations](#)
[Updated Site Plans](#)
[Site Plans](#)
[Resolution](#)
[Public Comment - Covan](#)
[Public Comment - Dawkins](#)
[MDP and CU Application](#)
[LDR Text Amendment Application](#)
[Height Variance Application](#)

Withdrawn

Meeting went into Recess - 8:01 P.M.

Meeting Resumed - 8:17 P.M.

17

Quasi-Judicial Hearing:

An Appeal of the Decision of the Floodplain Administrator of the City of Key West, Substantial Improvement Determination (rendered on August 12, 2020), with respect to the property located at 1413 Flagler Avenue, Key West, Florida (RE# 0040730-000000), filed by Nikki Pappas, Esq. on behalf of the Appellant, 1409-1413, LLC.

Attachments: [Appeal](#)

[Memorandum in Support of the Appeal of Substantial Improvement and Substantial Damage Determination for 1409-1413 City Presentation 1413 Flagler Appeal](#)

[1st Substantial Improvement Analysis 1413 Flagler Ave](#)

[HARC Non-Jurisdiction Letter](#)

[Rossi Power Point Presentation](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Hoover, that the Appeal be granted. The motion carried by the following vote:

No: 2 - Commissioner Weekley and Mayor Johnston

Absent: 1 - Commissioner Davila

Yes: 4 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez and Commissioner Wardlow

Enactment No: Res 20-195

ORDINANCES - SECOND READING (Public Hearing)

18

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.

Attachments: [Ordinance](#)

[Executive Summary](#)

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

Absent: 1 - Commissioner Davila

Yes: 6 - Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez,
Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Ord 20-16

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 9:27 P.M.