

OFFICE OF THE CITY ATTORNEY



PHONE: (305) 809-3770
FAX: (305) 809-3771

THE CITY OF KEY WEST

POST OFFICE BOX 1409
KEY WEST, FL 33041-1409
WWW.KEYWESTCITY.COM

EXECUTIVE SUMMARY

To: The City Commission for the City of Key West

From: James K. Scholl, City Manager

By: George B. Wallace, Assistant City Attorney

Date: June 24, 2019

RE: Approve Addendum 2 to the Commercial Contract between City of Key West and The Housing Authority of the City of Key West correcting scriveners' error and waiving delayed execution by Buyer relating to College Road Affordable Housing Project.

Action statement:

Approve a Resolution authorizing City Manager to execute Addendum 2 to the Commercial Contract relating to the College Road Affordable Housing Rental Complex at 5220,5226,5228 and 5230 College Road.

Background

By Resolution 19-086 The City Commission authorized the City Manager to execute a Commercial Contract to sell the above described property to the Key West Housing Authority for use as an Affordable Housing Rental Complex now known as "Garden View Apartments". One provision of the contract required its execution on or before March 15, 2019. The Buyer did not sign the Contract until May 2, 2019.

The Addendum to the contract contained scriveners' errors relating to the numbering of certain paragraphs.

In an abundance of caution it is requested that Addendum 2 clarifying these potential issues be executed in order to avoid the possibility of the contract's rejection by Florida Housing Finance Corporation when considering The Housing Authority's application for funding which will be due on August 6, 2019.

Recommendation:

To approve the Resolution authorizing the City Manager to execute Addendum 2 to the Commercial Contract for the sale and purchase of the College Road property.
