

RESOLUTION NO. 21-020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A ONE-YEAR EXTENSION OF EACH OF THE FOLLOWING EVENT AGREEMENTS: GOOMBAY FESTIVAL (BAHAMA VILLAGE COMMUNITY COALITION, RESOLUTION 19-045), ANNUAL POWER BOAT CHAMPIONSHIP RACE (RACE WORLD OFFSHORE, LLC, RESOLUTION NO. 19-188), KEY WEST AMPHITHEATER VENUE MANAGEMENT SERVICES (RAMS HEAD PROMOTION OF KEY WEST, LLC, RESOLUTION 19-237); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 19-045, the City Commission approved an Agreement with the Bahama Village Community Coalition for the Goombay Festival from 2019 through 2021; and

WHEREAS, in Resolution No. 19-188, the City Commission approved an Agreement with Race World Offshore LLC for the Annual Power Boat Championship Race from 2019-2023; and

WHEREAS, in Resolution No. 19-237 the City Commission approved an Agreement with Rams Head Promotion of Key West, LLC, for Key West Amphitheater Venue Management Services (2019-2022); and

WHEREAS, due to local, state and Federal emergency declarations related to the Covid-19 Pandemic, all large events in the City of Key West were cancelled, or severely restricted in scope, from March 2020 to the present, causing financial hardships for the legacy event promoters listed herein; and

WHEREAS, City staff has consulted with each event promoter, and each promoter has requested a one-year extension of their agreement with the City of Key West; and

WHEREAS, although the Agreements do not contain "Force Majeure" provisions, the City Commission intends to offer relief due to the pandemic circumstances beyond the contract holder's control, by extending each of the subject Agreements for one year upon terms and conditions contained in the current Agreements; and

WHEREAS, City staff recommends approval of each one-year extension, upon terms set forth in each respective Agreement; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That a one-year extension of the "Special Event Permit" between the City of Key West and Bahama Village Community Coalition to authorize Goombay Celebration in October 2022 is hereby approved.

Section 2: That a one-year extension of the attached "Agreement" between the City of Key West and Race World Offshore, LLC for the Annual Power Boat Championship Race is hereby approved, for Championship Race activities to be held during the year 2024, unless earlier terminated as provided in the Agreement.

Section 3: That an additional one-year extension of the attached "Professional Management Services Agreement" between the City of Key West and Rams Head Promotion of Key West, LLC, for Truman Waterfront Amphitheater Management is hereby approved, for the period of August 7, 2022 to August 6, 2023.

Section 4: That no additional budget impact is anticipated for the one-year extension of these Agreements.

Section 5: That the City Manager is authorized to execute any necessary documents to enact these one-year extensions, upon consent of the City Attorney.

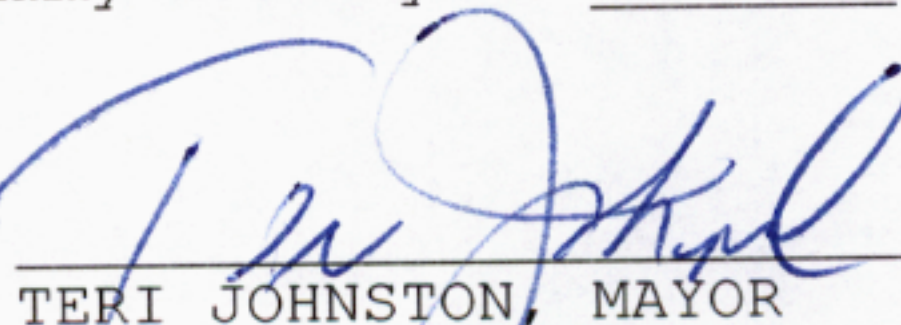
Section 6: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 17th day of February, 2021.

Authenticated by the Presiding Officer and Clerk of the Commission on 18th day of February, 2021.

Filed with the Clerk on February 18, 2021.

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|------------------------------|------------|
| Mayor Teri Johnston | <u>Yes</u> |
| Vice Mayor Sam Kaufman | <u>Yes</u> |
| Commissioner Gregory Davila | <u>Yes</u> |
| Commissioner Mary Lou Hoover | <u>Yes</u> |
| Commissioner Clayton Lopez | <u>Yes</u> |
| Commissioner Billy Wardlow | <u>Yes</u> |
| Commissioner Jimmy Weekley | <u>Yes</u> |



TERI JOHNSTON, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



Executive Summary

To: Gregory W. Veliz, City Manager

From: Todd Stoughton, Risk Manager

Date: 2/1/2021

RE: Service Agreement Extension Request

Action:

Respectfully request the City Commission to approve the extension of the following contract/agreements for one year due to exceptional circumstances (COVID-19). The following is a list of specific events requesting a one-year extension to their agreement with the City of Key West:

- Bahama Village Community Coalition (Goombay Festival, Resolution No. 19-045. Current agreement 2019-2021)
- Race World Offshore LLC (Annual Power Boat Championship Race, Resolution No. 19-188. Current agreement 2019 - 2023)
- Rams Head Promotion of Key West, LLC (Key West Amphitheatre Venue Management Services, Resolution 19-237. Current agreement 2019 – 2022 with possibility of two 3-year extensions)

These agreements are still under contract as denoted in the current agreement dates above.

Background:

COVID-19 was the causative factor for the cancellation of multiple special events throughout Key West during calendar year 2020 causing financial burdens for several of our legacy event promoters. Although the agreements discussed in this summary do not have a 'force majeure' clause, it is the intent of the City to offer relief due to circumstances beyond the contract holder's control by extending the subject agreements by one year. Each event promoter has been contacted and has formally requested a one-year extension with the City of Key West.

Financial Impact:

If the City Commission approves the recommendation of Staff as submitted there is no additional costs incurred by the City.

Recommendation:

Request the City Commission approve the one-year extension to the current agreement of the three named events, authorizing the City Manager to execute all documents consistent therewith with the consent and advice of the City Attorney.