

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, CANCELLING THE "TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT," NO ARU46, INCLUDING RELATED AMENDMENT(S), ATTACHMENTS AND EXHIBITS, BETWEEN THE CITY AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 15-224, the City Commission approved the "State of Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement, Contract ARU46", in Resolution No. 16-181, the City Commission approved Exhibit A to the Agreement, in Resolution 16-241 an Amendment and Attachment 1 was also accepted, in Resolution 17-157 Exhibit A (2017-2018) to the Agreement was approved and in Resolution 18-170 Exhibit A (2018-2019) was approved; and

WHEREAS, implementation and compliance with the Agreement as amended is burdensome and economically unsustainable for the City and Keys Energy, which is the City's maintenance contractor; and

WHEREAS, Section 38 of "Attachment 1, Revised Terms and Conditions for the Traffic Signal Maintenance and Compensation Agreement" specifies a minimum notice period of two (2) years plus the remaining months of the Department's

fiscal year (effective cancellation date July 1, 2020), and requires endorsement by the City Commission to cancel the agreement; and

WHEREAS, City staff recommends cancellation of the Traffic Signal Maintenance Agreement, including related attachments and exhibits; and

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

Section 1: That the City Commission hereby authorizes cancellation of the "State of Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement", No. ARU46, inclusive of subsequent amendments, attachments and exhibits, in conformance with the terms specified in the Agreement (effective cancellation date of July 1, 2020).

Section 2: That the City Manager is authorized to execute any necessary documents on behalf of the City of Key West, upon consent of the City Attorney.

Section 3: 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 _____ day of _____, 2018.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2018.

Filed with the Clerk on _____, 2018.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CLAYTON LOPEZ, VICE MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK