

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA APPROVING THE *REVOCABLE LICENSE AGREEMENT FOR USE OF CITY PROPERTY* BETWEEN THE CITY OF KEY WEST, FLORIDA AND THE KEY WEST FILM SOCIETY D/B/A THE TROPIC CINEMA TO PRESENT "MOVIES UNDER THE STARS ON EATON STREET" FROM 5:00 P.M.- 10:30 P.M. ONE SATURDAY PER MONTH BEGINNING NOVEMBER 8, 2025 THROUGH APRIL 18, 2026 ON ONE CITY BLOCK OF THE CITY ROADWAY IMMEDIATELY ADJACENT TO, AND OWNED BY, THE TROPIC CINEMA LOCATED AT 416 EATON STREET, KEY WEST, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE *REVOCABLE LICENSE AGREEMENT FOR USE OF CITY PROPERTY* AND ANY NECESSARY RELATED DOCUMENTS AND/OR BUDGET TRANSFERS/AMENDMENTS, UPON CONSENT OF THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Key West Library, in cooperation with the Tropic Cinema, desires to present "Movies Under the Stars on Eaton Street", a free, open to the public, family-friendly outdoor movie series, for one Saturday per month from 5:00 P.M.- 10:30 P.M. starting November 8, 2025 through April 18, 2026, exclusive to: November 8, 2025, December 13, 2025, January 17, 2026, February 21, 2026, March 21, 2026 and finishing on April 18, 2026, as set forth in Exhibit B. to the Revocable License Agreement for Use of City Property (hereinafter "the Agreement"); and

WHEREAS, the Agreement will allow the Tropic Cinema to use one block of the City roadway immediately adjacent to the property owned by them located at 416 Eaton Street (between Duval and Whitehead Streets) in Key West, Florida as reflected in Exhibit A. to the Agreement; and

WHEREAS, Section 2-939(a) of the City's Code of Ordinances, authorizes the City to grant a revocable license for the non-permanent use of City property which shall be revocable at the will of the City, with or without cause; and

WHEREAS, the terms of the proposed Revocable License Agreement for Use of City Property are as follows and as set forth in the Agreement and its Exhibits A. and B.; and

- Demised Premises:** The area to be used by Licensee is shown on *Exhibit A*.
- Term:** One Saturday per month beginning November 8, 2025 through April 18, 2026.
- Use:** The operation of monthly free outdoor movie night one Saturday a month from 5:30 pm to 9:30 pm (Setup/Teardown times are 5:00 pm to 10:30 pm), dates are shown on *Exhibit B*. The City will have the right to institute blackout dates and the Tropic Cinema will provide trash and recycling receptacles. Amplified music will be in accordance with City Code Sec. 26-192.
- Use Fee:** As per City Code Sec. 2-939 the annual fee has been prorated to \$50.00.
- Miscellaneous:** Revocable License Holder must arrange inspection with the Fire Marshal's Office to determine that the area can be cleared for KWFD in case of emergency. This will be arranged directly with the Fire Marshall's office.
- Insurance/Indemnification:** The licensee will indemnify the City to the fullest extent permitted by law and will procure insurance with limits as prescribed in the license agreement and keep the policy in full force and effect at all times, naming the City as an additional insured.

Procurement:

All City expenses are minimal, which include parking revenue for 5.5 hours a month. The Tropic Cinema has arranged for security by using off-duty KWPD Officers they pay directly.

WHEREAS, staff recommends approval of the *Revocable License Agreement for Use of City Property* to the Key West Film Society d/b/a the Tropic Cinema to present Tropic Cinema's "Movies Under the Stars on Eaton Street" as set forth in the Agreement and its Exhibits A. and B. attached hereto and made a part of this Resolution;

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 approves issuance of the *Revocable License Agreement for Use of City Property* to the Key West Film Society d/b/a the Tropic Cinema to present Tropic Cinema's "Movies Under the Stars on Eaton Street" once a month beginning November 8, 2025 through April 18, 2026 as set forth in the Agreement and its Exhibits A. and B., all of which are attached hereto and made a part of this Resolution.

Section 2: That the City Manager is hereby authorized to execute the *Revocable License Agreement for Use of City Property* to the Key West Film Society d/b/a the Tropic Cinema and any necessary related documents and budget transfers/amendments, 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 _____, 2025.

Authenticated by the Presiding Officer and Clerk of the
Commission on the _____ day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK