



Executive Summary

To: Patti McLauchlin, City Manager
From: Todd Stoughton, Assistant City Manager
Date: November 14, 2022
RE: Revocable License Agreement for 'Movies Under the Stars on Eaton Street'

Action:

This is a request to approve a revocable license agreement between the City of Key West and the Key West Film Society, Inc., d/b/a the Tropic Cinema, for the use of one city block located on Eaton Street between Duval Street and Whitehead Street for one Saturday per month starting December 2022 through May 2023. The revocable license agreement is to allow the Tropic Cinema use of Eaton Street adjacent to the Tropic Cinema property located at 416 Eaton Street, Key West, Florida, 33040.

Background:

The Key West Public Library, in cooperation with Tropic Cinema, request to present 'Movies Under the Stars' on Eaton Street, a free, open to the public, family-friendly outdoor movie series. Due to the timing, the Tropic Cinema was issued a Special Event Permit for their first movie night which occurred on November 12th, 2022, with a free screening of 'The Karate Kid'. Carla Turner, Director for the Tropic Cinema, has requested to continue a monthly viewing through May 2023. The Tropic Cinema has coordinated with the Eaton Street neighbors to facilitate a friendly and communal atmosphere.

Pursuant to Section 2-939 of the Code of Ordinances the City may enter into a revocable license agreement for the use of city property which may be unilaterally terminated by the City with or without cause. The proposed terms of the revocable license agreement are as follows:

Demised Area:

The area that may be utilized is shown on Exhibit A

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.

Term: December 16, 2022, through May 14, 2023.

Use Fee: As per City Code Sec. 2-939 the annual fee has been prorated to \$50.00. (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 Marshal's office.)

Insurance and Indemnification: The licensee will indemnify the City to the fullest extent permitted by law and will keep insurance in the limits prescribed in full force and effect at all times naming the City as an additional insured.

Financial Impact:

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.

Recommendation:

Request the City Commission approve the license agreement with the Tropic Cinema to conduct their Movie Under the Stars events.

Exhibit A



Blue X denotes street closure
Blue Star denotes viewing area

Exhibit B
2022-2023 Movie Under the
Stars Dates

- 2022: Dec 17 (Gremlins)

- 2023: Jan 21 (Star Wars), Feb 11 (Big), Mar 11 (Back to the Future), Apr 22 (Footloose),
May 13 (Grease)