

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, CREATING THE DUVAL PROMENADE PILOT PROGRAM, A PEDISTRIAN-ONLY CORRIDOR ON THE 500, 600 AND 700 BLOCKS OF DUVAL STREET FROM FLEMING STREET TO PETRONIA STREET; GRANTING A RIGHT OF WAY USE/SPECIAL EVENT PERMIT; ESTABLISHING SPECIFIC DATES AND TIMES FOR THE DUVAL PROMENADE PILOT PROGRAM; REQUIRING PARTICIPANTS TO PROVIDE HOLD HARMLESS AGREEMENTS AND INSURANCE WITH THE CITY AS AN ADDITIONAL INSURED; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Commissioner Jimmy Weekley established the Duval Street Committee in 2008; and

WHEREAS, The City Commission for the City of Key West, as well as the majority of the merchants in the Duval Promenade Pilot Program see a need to take central Duval Street corridor in a different direction to generate excitement and commercial interests, while creating an arts, culinary and entertainment attraction; and

WHEREAS, a majority of the Duval Street Committee members decided to create a pilot program for the weekend closure of Duval Street on the 500, 600, and 700 blocks to vehicular traffic in order to promote a pedestrian-oriented outdoor shopping, dining,

and entertainment destination for residents and visitors alike.

WHEREAS, accordingly the City Commission accepts the recommendation of the Duval Street Committee, and herein shall establish the "Duval Promenade Pilot Program."

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

Section 1: That the City Commission for the City of Key West hereby establishes the Duval Promenade Pilot Program.

Section 2: That the attached right-of-way use/special event permit is hereby approved consistent with Ch. 6, Art. II of the Code of Ordinances for vendors to sell only their primary product or service.

Section 3: That the Duval Promenade Pilot Program shall commence on Friday, February 15, 2019 and shall sunset on Monday, April 27, 2019 unless extended by Resolution of the City Commission. The hours shall be from 5:00 p.m. to 12:00 a.m. on Friday and Saturday nights. During any city recognized holidays involving a Monday, the Duval Promenade Pilot Program shall also

include Sunday night from 5:00 p.m. to 12:00 a.m. Monday.

Section 4: Participants shall secure all necessary approvals from all other governmental agencies in order to sell or serve their primary product(s) on the public right of way.

Section 5: Participants shall add the City of Key West as an additional insured and execute a hold-harmless agreement to benefit the City of Key West and to the satisfaction of the Risk Manager with the advice and consent of the City Attorney.

Section 6: That the city manager is authorized to enter into any necessary documents to effectuate the terms of this Resolution with the advice and consent of the City Attorney.

Section 7: Due to the expected higher pedestrian congestion, in the interests of public safety, Art Vendors and Street Performers will be prohibited from establishing themselves in the Duval Promenade during operational hours and shall relocate themselves to other permitted areas.

Passed and adopted by the City Commission at a meeting held
this _____ day of _____, 2019.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____ day of _____, 2019.

Filed with the Clerk on _____, 2019.

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|------------------------------|-------|
| Mayor Teri Johnston | _____ |
| Commissioner Gregory Davila | _____ |
| Commissioner Mary Lou Hoover | _____ |
| Commissioner Sam Kaufman | _____ |
| Commissioner Clayton Lopez | _____ |
| Commissioner Billy Wardlow | _____ |
| Commissioner Jimmy Weekley | _____ |

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK