

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A RENT ABATEMENT FOR UP TO THREE MONTHS FOR ALL COMMERCIAL TENANTS OF CITY MARINA AT GARRISON BIGHT IN GOOD STANDING AFFECTED BY THE COVID-19 EMERGENCY; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO APPROVE AND EXECUTE ADDENDUMS TO LEASE OR MAKE ACCOUNTING ADJUSTMENTS FOR RENT ABATEMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West is landlord to many commercial tenants at the City Marina at Garrison Bight, almost all relying upon tourism as their main source of revenue; and

WHEREAS, the City Commission finds that a three-month rent abatement would be in the best interests of the commercial tenants of City Marina at Garrison Bight; and

WHEREAS, on March 1, 2020, the Governor of Florida, Ron DeSantis, issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of Coronavirus Disease 2019 (COVID-19) in Florida; and

WHEREAS, in response to the COVID-19 threat, the City declared a State of Local Emergency on March 15, 2020 in accordance with F.S. 252.38 and CKW Resolution 2007-182. The City has repeatedly extended the State of Local Emergency; and

WHEREAS, the local State of Emergency required non-essential businesses, including tourism-related activities, to close, a Federal declaration suspended the passenger cruise industry in March, 2020, and additional State and County declarations to protect public health and safety have presented additional restrictions, causing economic hardship in Key West and across the country; and

WHEREAS, the City Commission finds that tenants in good standing should be granted an up to three month rent abatement upon certain terms and conditions; and

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

Section 1: That a rent abatement of up to three months is hereby granted to all commercial tenants in good standing at the City Marina at Garrison Bight. (Common Area Maintenance and utility amounts are still due and payable.)

Section 2: Refunds will not be given but rent already paid or deferred may be re-categorized or credited to achieve the Commission's intention of three full months of rent abatement for each commercial tenant in good standing.

Section 3: Only Base Rent shall be waived and/or adjusted. Common Area Maintenance (CAM) fees, utilities, etc. shall not be waived for any commercial tenant.

Section 4: These rent adjustments shall apply exclusively to current commercial lease holders in good standing within the City Marina at Garrison Bight, and not to apply to any other long-term or transient tenant at City Marina.

Section 5: That the City Manager or designee is authorized to execute lease addendums or make the appropriate account adjustments setting forth the rent abatement terms and conditions for each commercial tenant.

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 _____ day of _____, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2020.

Filed with the Clerk on _____, 2020.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK