

RESOLUTION NO. 20-080

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A RENT DEFERMENT FOR UP TO TWO ~~THREE~~ MONTHS, WITH AN UP TO TWO-YEAR REPAYMENT PERIOD FOR COMMERCIAL TENANTS OF THE CITY OF KEY WEST AFFECTED BY THE COVID-19 EMERGENCY FOR THE MONTHS OF APRIL, ~~AND MAY~~ AND JUNE 2020, UPON INDIVIDUAL REQUEST BY TENANTS IN GOOD STANDING WHICH MEET SPECIFIC CRITERIA SET FORTH IN THE MEMORANDUM OF DOUG BRADSHAW, DIRECTOR PORT AND MARINE SERVICES, DATED APRIL 24, 2020; DIRECTING CITY STAFF TO ANALYZE AND PROVIDE RECOMMENDATIONS TO THE CITY MANAGER OR DESIGNEE WITH REGARD TO RENT DEFERMENT REQUESTS; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO APPROVE AND EXECUTE ADDENDUMS TO LEASE FOR RENT DEFERMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West is landlord to more than 160 commercial marina and upland tenants, almost all relying upon tourism as their main source of revenue; 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 most recently extended the State of Local Emergency on April 26, 2020; 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 acknowledges that the Covid-19 Pandemic measures have placed a burden on individual tenants, and on the Key West economy at large, and finds that a rent deferment would make it easier for tenants to meet their financial obligations, without placing an undue burden on the City's budget; and

WHEREAS, the City Commission finds that City tenants in good standing, should, upon request, be granted an up to ~~two~~ three month rent deferment 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 deferment of up to three ~~two~~-months, with an up to two-year (24 months) payback period for the deferment, for the months of April and May and June, 2020, is hereby authorized for eligible Commercial Tenants of the City of Key West in good standing, upon terms and conditions set forth in the attached memorandum from Doug Bradshaw, Director of Port and Marina Services, dated April 24, 2020.

Section 2: That City staff is directed to consider each rent deferment request on a case-by-case basis, to establish eligibility and payback terms, and to make recommendations to the City Manager or designee accordingly.

Section 3: That the City Manager or designee is authorized to execute lease addendums setting forth the rent deferment terms and conditions for each tenant.

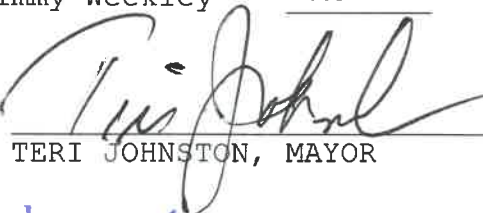
Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 5th day of May, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on 25th day of August, 2020.

Filed with the Clerk on August 25, 2020.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>No</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>No</u>


TERI JOHNSTON, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK