

Duval Street Committee Meeting Minutes
August 13, 2008
9:00 a.m.

Present: Jimmy Weekley, Chairman
Perry Johnston
Janet Kelly
George L Fernandez
Christina Russell
Dan Strosnider
LJ Cicero
Virginia Panico
Cynthia Domenech-Google
Vivian Perez, Administrative Assistant Mayor and City Commission

The Chairman called the meeting to order at 9:05 a.m.

Chairman Jimmy Weekley asked for motion to approve the minutes of July 30, 2008. It was motion by Perry Johnston and second by Christine Russell to approve the minutes. The Chairman asked if there were no objections the minutes are approved.

Chairman Weekley introduced Shawn Smith, City Attorney and will discuss the Resolution for the Duval Street closure.

Mr. Smith explained that he concept is great and does not believe anyone has a problem with what the Committee is doing. Mr. Smith said that it is simply an issue about the provision of insurance/indemnity agreement.

Mr. Smith suggested having the individual merchants who will be doing business on the street and add the City of Key West as an additional insured on their policy. Mr. Smith thinks that this would be the most cost effective for the merchants. Mr. Smith also suggested. Mr. Smith also mentioned another alternative and that is taking the group as a whole that will be out on the street and form a quick corporation and then get insured.

Chairman Weekley mentioned to Mr. Smith that the merchants are participating in something that the City of Key West has asked. Chairman Weekley stated that is why this is a demonstration.

LJ Cicero, General Manager of La Te Da stated that La Te Da already has the City of Key West as additional insured for some of their other events.

LJ Cicero stated maybe it would benefit the merchants of upper Duval Street to start an Association. Mr. Smith said if the expectation is to do this on a regular basis once it is established then an Association would the better long term goal.

Chairman Weekley mentioned that originally the merchant wanted to request six (6) months from the City of Key West. Chairman Weekley mentioned that he suggested to the merchants not to ask for the six months of street closures on Saturday because he did not know if the City of Key West would approve the time period. Chairman Weekley also mentioned that some of the Saturday's would conflict with other annual events and that is why they were only asking for the first two Saturday's in October.

Chairman Weekley mentioned that back in the late 1980's or early 1990's there was a resolution that was passed allowing street closure from Fleming Street up to Front Street, and the issue about insurance never came up. Mr. Smith explained that the resolution specifically stated it was only closing the streets and that no merchants could set up in the street which is different concept from this resolution.

LJ asked when there are events like Goombay, Fantasy Fest and Lobsterfest who provides or who carries the insurance? Mr. Smith replied by stating that the organizer who comes in as the sponsor and signs all the forms.

Chairman Weekley suggested that LJ coordinate another meeting with the merchants of upper Duval Street who will be participating in the street closure. Chairman Weekley mentioned that it would have to be quick because the resolution set to go before the Commission on the 3rd of September.

Mr. Smith mentioned that he believes Lincoln Road the City of Miami leases a portion of their right-of-way to the individuals that come out of the storefronts. Chairman Weekley mentioned that the Committee has talked about in the future if this is successful the City of Key West can lease the right-of-way to the businesses.

Virginia Panico believes that it is a good idea but there will be a lot more issues that will arise as you pursue this venture. Ms. Panico mentioned some stumbling blocks i.e. insurance laws, liquor license laws.

LJ suggested making the upper end of Duval Street a special designation with its own set of rules/criteria, since this is a unique event.

Christine Russell asked if it was possible to make that special designation and how much work would it take? Mr. Smith replied that it would be done with an Ordinance revision and setting areas out of the rules and regulations that apply and then take to another lever if in fact in the future the City actually agrees to lease the City's right-of-way to individual businesses.

Chairman Weekley asked the Committee if they thought it would benefit the resolution to postpone the demonstration from October to November. Chairman Weekley thinks that this will give everyone to work out all of the issue and do it the right way.

LJ asked if the insurance problem is mostly to do with the tables and chairs being placed on the streets. Mr. Smith said just closing the street is not an issue; the issue is actively letting business use the City's right-of-way.

Cynthia Domenech-Google gave the Committee a presentation of one of the product for the recycling mulch. Mrs. Google stated that there have been three different vendors that have placed examples of their product on some of the trees. Mrs. Google stated that there are several demonstration sites that have the three different products and they are in front of Margaritaville, in front of the red garter and 124 Duval Street.

Mrs. Google is looking for the Committee to give her a recommendation as to which company/product they prefer.

Mrs. Google stated that Flexi Pave is less expensive, comes in every color, have a longer guarantee and the City can install the product.

Chairman Weekley asked Vivian Perez to draft a letter of recommendation, recommending Flexi Pave and that the Committee prefers a natural color.

George Fernandez mentioned he went to the Tropic Foundation Board and that he made a request to the Board to help the City of Key West with a contribution towards their project. The Board extended their wish to make a contribution and that Mr. Fernandez and Mrs. Google will meet in order to work out the details.

It was decided not to have a meeting on Wednesday, August 20, 2008 and that the next meeting will be on Wednesday, August 27, 2008 at 12:00 noon at La Te Da Restaurant on 1125 Duval Street (upstairs).

The meeting ended at 10:00 a.m.

(Recordings of the meetings are maintained with the Executive Aide to the Mayor and Commissioners)