

MINUTES

KEY WEST BIGHT MANAGEMENT DISTRICT BOARD MEETING

OLD CITY HALL, 510 GREENE STREET

MAY 11, 2011

A regular meeting of the Key West Bight Management District Board of the City of Key West, Florida, was held in Commission Chambers, Old City Hall, 510 Greene Street, on Wednesday, May 11, 2011.

The Chairman called the meeting to order at 9:00 a.m.

Answering roll call were Board Members Jimmy Lane, Paul McGrail, Kathryn Ovide, Dan Probert, Michael Wilson and Chairman Michael Knowles presiding.

Also present were Assistant City Attorney Ron Ramsingh, Port Operations Manager John Castro, Key West Bight Manager Mark Tait and Deputy Clerk Angela Budde.

The pledge of allegiance to the flag of the United States of America was given by all present.

CHANGES TO THE AGENDA:

It was moved by Ms. Ovide and seconded by Mr. Wilson to approve the agenda.

The Chairman asked for objections and seeing none, the agenda was accepted without change.

APPROVAL OF MINUTES:

April 13, 2011 (Regular)

It was moved by Mr. Lane and seconded by Ms. Ovide to approve the minutes of April 13, 2011.

The Chairman asked for objections and seeing none, the minutes were accepted.

ITEMS FOR ACTION:

Key West Bight Parking Lot Rates

Mr. Tait reported to the Board that Ms. Wilbarger was not present due to illness.

Mr. Tait stated the recommendation by Mr. Wilkins was to wait to see what the parking situation would be at the old Jabour property before making a final decision.

Chairman Knowles had spoken with Mr. Wilkins and was informed he did not have all the necessary information with regard to changing the rates. Board members noted this was the third time this action item had been on the agenda. They were not happy that Mr. Wilkins was not present to answer questions.

Mr. Ramsingh informed the Board that nowhere in the Code of Ordinances does it say the Bight Board has the authority to set parking rates. They may recommend that the City Manager or the City Commission adjust the rates.

It was moved by Mr. Lane and seconded by Mr. Wilson to reduce the rate in the lot to match the City's on-street parking rate and to allow for changing the parking rates in the lot for special events by the City Manager.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Lane, McGrail, Ovide, Probert, Wilson and Chairman Knowles

Nays: None

Key West ^{Bait}~~Bate~~ and Tackle Lease Renewal

Mr. Tait referred to the recommendation provided by Ms. Wilbarger requesting the approval of the lease renewal.

It was moved by Mr. Lane and seconded by Mr. McGrail to approve the lease renewal as recommended.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Lane, McGrail, Ovide, Probert, Wilson and Chairman Knowles

Nays: None

Cuban Coffee Queen Lease Assignment

Mr. Tait referred to the recommendation provided by Ms. Wilbarger requesting approval of the lease assignment as proposed.

It was moved by Ms. Ovide and seconded by Mr. Lane to approve the lease assignment as recommended.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Lane, McGrail, Ovide, Probert, Wilson and Chairman Knowles

Nays: None

Dream Chaser Charters

Mr. Tait presented the item to the Board for approval of the tenant/owner of Dream Chaser Charters to temporarily lease a replacement vessel until he purchases a new vessel for his business.

It was moved by Mr. Wilson and seconded by Mr. Probert to approve the temporary lease of a replacement vessel for Dream Chaser Charters as proposed.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Lane, McGrail, Ovide, Probert, Wilson and Chairman Knowles

Nays: None

Letters of Interest 201 William Street

Mr. Tait stated this item was before the Board for consideration of this particular venue of business in the location of the vacant space at 201 William Street.

Chairman Knowles stated he wanted to see financial information and a feasibility study on the micro-brewery.

Mr. Lane compared this to a letter of intent and financial and other information would be forthcoming if there was a non-binding mutual understanding such as this.

Chris Schultz, representing the brewery, answered questions from the Board.

It was moved by Mr. Lane and seconded by Mr. McGrail to proceed with the recommendation to accept the letter of interest received from Waterfront Brewery, LLC and to proceed with the negotiations.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Lane, McGrail, Ovide, Probert, Wilson and Chairman Knowles

Nays: None

DISCUSSION ITEMS:

Anchoring Pilot Program

Mr. Tait spoke on the FWC Pilot Monitoring Program for mooring fields. He stated the press release was to notify the Board that the City would be participating in the local stakeholder meetings in early June. Further information would be provided to the Board at their regularly scheduled meeting on June 15, 2011.

Security Deposit Interest

Mr. McGrail had asked that this item be put on the agenda for discussion. He reviewed the information provided in their packets of Florida Statute, Title VI, Chapter 83 (Part 2). During the discussion it was determined that the statute provided was not the correct version for them to reference.

Mr. McGrail needed to know how the security deposits were being handled when it involved the leases. Chairman Knowles asked Mr. Tait to get with Ms. Wilbarger regarding this item to bring a full breakdown on information at the next meeting regarding security deposits and interest.

REPORTS:

Manager's Report

The Board reviewed the information under the Manager's Report. Mr. Ramsingh updated the Board that the lease for the Conch Electric Cars has not yet been signed as approved by this Board. The attorney for the tenant requested changes to the lease not approved by this Board. Mr. Ramsingh had given them until today to sign the lease as presented. If not, he would issue a 15 day notice to terminate.

A/P – A/R Report

Mr. Probert had a question on the escrow account for Turtle Kraals. He also had concerns about the Key West Artworks. Mr. Tait said they were open and doing business.

With regard to Turtle Kraals, Mr. Ramsingh confirmed through Mr. Erskine that a complaint has been filed and they have responded. He anticipated they would go to mediation. The amount in question was still going into an escrow account. With regard to Key West Artworks, he had been in touch with Mr. Cash, the current tenant. He is very close to settling the amount due. Mr. Ramsingh informed Mr. Cash that he should come before the Board or to submit a letter. Ms. Ovide suggested

that Mr. Cash provide the information formally not over the phone. Mr. Ramsingh could provide his recommendation at the next board meeting. Mr. Lane urged Mr. Ramsingh to move forward with the default proceedings. Mr. Ramsingh said he now had direction from the Board to proceed with the motion for default and if a settlement proposal was acceptable he would bring that before the Board.

Mr. Ramsingh reported to the Board on the Florida Keys Boat Rental issue. A 15-day notice of termination had been filed against Mr. Rick Smalley. He would be filing a notice to evict. Mr. Ramsingh stated there had been some discussion for Mr. Smalley to remain through mid-summer and he would voluntarily vacate. In exchange Mr. Smalley would pay for the cost of the eviction.

Tenants Association Report

There was no one present from the Tenants Association.

Old Business

Mr. Lane asked about the Bay Bottom Lease. Mr. Tait has spoken with Mr. Hildebrandt and reported they were working to get the Fish House, Turtle Cannery and the dock exempt from submerged land lease fees. Mr. Tait hoped this to be resolved before the next meeting.

PUBLIC COMMENTS:

There was no public comment.

BOARD COMMENTS

Mr. Wilson spoke about validated parking or temporary 30 minute parking spaces and moving the employee parking across the street.

Mr. Wilson was concerned about the automatic 5% increase in tenant rates across the board as being inappropriate during this economy.

There was discussion about the CPI. The general consensus would be to amend the lease

agreements. The Board would like to see a proposed lease amendment at the next meeting. Mr. Ramsingh would speak with Ms. Wilbarger to let her know that the Board would like to see options to consider at the next meeting.

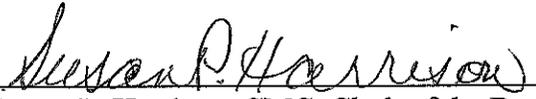
Mr. Tait informed the Board that the budget would be presented next month. He said there had been no rate increases for the marina tenants for the past two years and their intent was to put a CPI increase in this year's budget.

It was suggested that a representative from the Bight Board be present to attend the budget meetings with the City Manager. Mr. Tait would get a copy of the preliminary budget to the Board for review. Ms. Ovide suggested Mr. Lane serve as liaison with the City Manager or Finance Director for budget information. Mr. Lane agreed to attend the meetings to represent the Board. The budget meetings for the Key West Bight were scheduled for Thursday, June 16, 2011 between 1:00 p.m. and 4:00 p.m. The Board could submit questions to the City Manager and copy the Clerk (Mrs. Harrison).

Chairman Knowles asked that Mr. Singh make a presentation to the Board at the next meeting for his conceptual plan for development of the former Jabour Trailer Park area.

ADJOURNMENT:

It was moved by Ms. Ovide and seconded by Mr. Probert to adjourn. There being no further business the Chairman adjourned the meeting at 10:14 a.m.


Susan P. Harrison, CMC, Clerk of the Board
Senior Deputy City Clerk