

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "AGREEMENT FOR PETROLEUM CLEAN UP PARTICIPATION PROGRAM" (PCPP) THROUGH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), IN AN AMOUNT UP TO \$500,000.00 (\$400,000.00 PLUS UP TO \$100,000.00 AUXILLIARY FUNDING); AUTHORIZING ANY NECESSARY BUDGET ADJUSTMENTS OR TRANSFERS TO ACCEPT THE FUNDING; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT, AND TO APPROVE AND EXECUTE ANY SUBSEQUENT AMENDMENTS THAT MAY ADJUST THE GRANT FUNDING ALLOCATIONS TO THE CITY OR MODIFY THE PROJECT SCOPE, UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1992 an underground petroleum storage tank was decommissioned and removed at 525 Angela Street (former location of City Hall/current Fire Station 2). Soil contamination was discovered at the time of removal and reported to the Florida Department of Environmental Protection (FDEP); and

WHEREAS, the City has monitored the petroleum contamination and performed some remediation and monitoring throughout the years, most recently in 2020. At that time the site contamination was rated as 9 out of 100-point scale, which was below the state funding threshold for petroleum remediation; and

WHEREAS, the state funding formula was recently adjusted to provide remediation funding for sites rated above 7 on a 100 point scale, rendering the site at 525 Angela Street eligible for funding

of up to \$400,000 at this time, with possibility of an additional \$100,000.00 for auxiliary monitoring and remediation if needed, conditioned upon a matching 25% cost saving or co-payment, which the City could pay from reserve funds or through in-kind staff services on the project; and

WHEREAS, local legislative approval is necessary to allow City staff to apply for or accept such funding; and

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

Section 1: That the attached "Agreement for Petroleum Cleanup Participation Program" with the Florida Department of Environmental Protection for petroleum cleanup/remediation at 525 Angela Street (Former City Hall/current KWFD Station 2) in an amount of up to \$400,000.00, plus up to \$100,000 in auxiliary funding, is hereby approved.

Section 2: That City matching funds for the project shall be paid from city General Funds Reserves account 001-1900-519-9803 and/or through in-kind services. Any necessary budget transfers or adjustments are hereby authorized.

Section 3: That the Mayor is authorized to execute the Agreement and related documents, and any subsequent amendments that may adjust funding or the project scope, upon the advice and consent of the City Attorney.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Filed with the Clerk on \_\_\_\_\_, 2024.

|                                 |       |
|---------------------------------|-------|
| Mayor Danise Henriquez          | _____ |
| Vice Mayor Sam Kaufman          | _____ |
| Commissioner Lissette Carey     | _____ |
| Commissioner Monica Haskell     | _____ |
| Commissioner Mary Lou Hoover    | _____ |
| Commissioner Donald "Donie" Lee | _____ |
| Commissioner Clayton Lopez      | _____ |

\_\_\_\_\_  
DANISE HENRIQUEZ, MAYOR

ATTEST:

\_\_\_\_\_  
KERI O'BRIEN, CITY CLERK