



THE CITY OF KEY WEST
201 William Street Key West, FL 33040 (305) 809-3790

EXECUTIVE SUMMARY

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TO: Patty McLauchlin, Interim City Manager
CC: Todd Stoughton, Interim Assistant City Manager
FROM: George Wallace, Assistant City Attorney
DATE: May 5, 2021
SUBJECT: Key West Aquarium Submerged Land Lease Renewal.

ACTION STATEMENT

Approving the renewal of the submerged land lease between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and the City of Key West for the sovereignty submerged lands located at the Key West Aquarium pursuant to BOT File No. 440030665 at the initial annual rate of \$1,394.27 subject to annual adjustments per Rule 1818-21.011 of the Florida Administrative Code.

This site is currently leased to Tropical Shell and Gifts, Inc. who reimburses the City for the annual fee of the lease.

PROJECT ISSUE

On November 27, 2015 the City entered into a 5-year submerged land lease with the State of Florida for a 5,950 square feet docking facility and pedestrian board walk structure. The lease expired on November 27, 2020 and has been going through routine renewal inspection and auditing processes which have been completed. The lease has been in existence since at least October 2, 2000.

This is a continuance of the submerged land lease which authorizes the City to allow the continued operation of the City of Key West Aquarium leased to Tropical Shell and Gifts, Inc.

OPTIONS

There are two options:

1. Authorize the extension of the current agreement based on the above conditions per Key West City Ordinance Section 2-797(4) b.

2. Disapprove the renewal of the lease which would terminate the ability of the City's tenant to operate the Aquarium under its current lease from the City.

ADVANTAGES/DISADVANTAGES

Approval of the extension protects the City from financial loss of lease payments.

FINANCIAL ISSUES

There are no financial downsides to extending the agreement.

RECOMMENDATION

It is recommended that the Commission approve the renewal of the 5 year submerged lands lease for the docking facility.