



THE CITY OF KEY WEST

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MEMORANDUM

DATE: September 15, 2021

TO: Patti McLauchlin, City Manager

FROM: Kelly Crowe, P.E., City Engineer

CC: Todd Stoughton, Assistant City Manager
Shawn Smith, City Attorney
Steve McAlearney, Engineering Director

RE: Project 250458-8: SR A1A/South Roosevelt- Granting of Drainage Easement from the City of Key West to the Florida Department of Transportation (FDOT)

ACTION STATEMENT:

Authorize the Mayor to execute the *Donation of Property Form and Deed for Perpetual Easement* to the Florida Department of Transportation (FDOT) associated with Project 250458-8: SR A1A/South Roosevelt Boulevard

BACKGROUND:

Project 250458-8: SR A1A/South Roosevelt is located from Bertha Street to the end of Smathers Beach and generally consists of upgrades to the promenade, milling and paving, three (3) High Intensity Activated Crosswalk (HAWK) crossings, signage, pavement markings and significant drainage improvements.

A major component of the project will be the construction of a pump station to help alleviate drainage issues along South Roosevelt Boulevard. In addition, the pump station will be designed to mitigate the potential effects of Sea Level Rise (SLR). Due to the size of the pump station generator, discharge wells as well as the location of an adequate power source, the optimal location for the pump station was determined to be along the Bridle Path easterly of Key West by the Sea. The proposed location for the improvements is centered within both FDOT property and City of Key West property, more particularly described as a portion of Tract 46, Plat Book 4, Page 69 of the Public Records of Monroe County.

Where the improvements will lie within city property, a drainage easement will need to be granted to FDOT. The easement allows FDOT to use the city's property for drainage purposes and perform maintenance activities as specified in the Maintenance Memorandum of Agreement (MMA) between the city and FDOT. **NOTE: The MMA is also on this agenda as Legistar ID 21-7551.**

A majority of the improvements will be located underground; however, an emergency generator and overflow structure will be the aboveground structures that will be visible. The Bridle Path and surrounding area within the easement have been used historically for recreational purposes and will remain accessible for public use. The Bridle Path is considered a significant recreational resource as defined in Section 4(f) (49 U.S.C § 303). FDOT staff has determined that the project will not adversely affect activities, features or attributes that make the Bridle Path eligible for Section 4(f) protection. The City has concurred with this determination and FDOT will pursue a Section 4(f) de minimis finding for this project per 23 CFR §774.

PURPOSE AND JUSTIFICATION:

The donation of the property, granting of a drainage easement to FDOT and construction of a pump station will benefit the citizens and visitors of the City of Key by providing a significant improvement to the drainage performance of South Roosevelt Boulevard for many years into the future. In addition, the use of the Bridle Path area for the pump station elements is not anticipated to have an adverse effect on the resource and will remain as a usable resource for the general public.

The project supports the Key West 2011 Strategic Plan including meeting Goal #1, *A transportation system which is aesthetically attractive, functional, efficient, safer, and environmentally sensitive.*

FINANCIAL ISSUES:

The City will not receive direct financial consideration for the donation of the property by granting the easement to FDOT. Per Section 2-938(b)(3) of the, the city is entitled to an annual fee of \$400.00; however, given the benefits associated with the drainage improvements within the easement, the annual fee will be waived. Furthermore, the construction phase of the project will be federally funded and administered by FDOT. The current cost estimate for the project including the pump station is \$11.9 million. To date, project design has been managed by City staff and funded through the FDOT Local Agency Program (LAP).

RECOMMENDATION:

Authorize the Mayor to execute the *Donation of Property Form and Deed for Perpetual Easement* to the Florida Department of Transportation (FDOT) associated with Project 250458-8: SR A1A/South Roosevelt Boulevard