



## THE CITY OF KEY WEST

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### EXECUTIVE SUMMARY

**To:** Jim Scholl, City Manager

**Through:** Sarah Hannah-Spurlock, Assistant City Manager  
Kevin Bond, AICP, Acting Planning Director

**From:** Donald Leland Craig, AICP, Consulting Planner

**Meeting Date:** February 3, 2015

**RE:** Truman Waterfront Park Memorandum Of Understanding (MOU) with Florida Department of Environmental Protection, Division of Recreation and Parks

#### **ACTION STATEMENT:**

**Request:** That the City Commission approve the attached Memorandum of Understanding with the Recreation and Parks Division of the Florida Department of Environmental Protection to provide for the creation of a new road easement to Fort Zachary Taylor State Park across the City-owned Truman Waterfront Park, and to provide for cooperation in the design of the new state park entrance on state lands and the design of a new entry control point to the US Navy Outer Mole.

**Location:** Truman Waterfront Park

**BACKGROUND:** In February 1984, the US Department of the Navy and the Florida Division of Recreation and Parks entered into an agreement to have the US Navy provide “an easement to the state for the construction, installation, operation, maintenance, repair and replacement of a road and contact station for access to Fort Zachary Taylor”. That access easement survived the transfer of a portion of the former US Navy property to the City in 2002. Please see **Exhibit A**, which is the 1984 agreement between the US Navy and the State. **Exhibit B** to this Executive Summary is an aerial photo, which depicts the location of state, City and US Navy property, with the location of the easement described in the 1984 agreement.

Also in 2002, a portion of former US Navy Lands near the entrance to the Outer Mole was given to the State of Florida for a future access point to the Fort Zachary Taylor, so that when the City was ready to build and develop its lands received from the Navy, there would no longer be a portion of the state park access road on US Navy property.

After much discussion and planning since 2002, the City Commission adopted the Truman Waterfront Park Master Plan in 2012 and began the final design of the park such that construction of the City's Park could start in 2016. The adopted master plan requires the relocation of the state park ranger station and access road.

Also in 2014, the City applied for federal grant funds accessible through the state to aid in the design and construction of a new Entry Control Point (ECP) consistent with the revised lease agreement between the City and the US Navy for the use of the Outer Mole for cruise ship disembarkations. The application for grant funds was for not only the ECP, but also other roads that will serve the US Navy interests and lands bordering Truman Park. The Florida Defense Support Task Force Funding grant application requested \$344,000.00 to aid in the completion of \$738,000.00 of construction of six roadway elements in the Park. The City was awarded up to \$100,000 of the grant request, which is being presented to the City Commission under its own proposed resolution. The grant application is **Exhibit C**. In order to provide for orderly construction of the Truman Park main access road, the new state entry to Fort Zachary Taylor and the design and construction of the ECP, a Memorandum of Understanding (MOU) between the City and the State is required for work to take place on state and City lands. That MOU is attached as **Exhibit D**.

The MOU has the following essential features and agreements:

1. The term of the MOU is for 10 years to allow for flexible phasing of the City Park improvements.
2. The City commits to designing the portion of the new state Park access road on that half of the state-owned property north of the US Navy pedestrian bridge over the state Park lands. The state will have the responsibility of designing its road and ranger station south of the pedestrian bridge.
3. Within two (2) years of the execution of the MOU, the City and the state Recreation and Park Division will concurrently complete design plans and obtain all necessary permitting related to the new city park access road and the new state park entrance.
4. The design parameters of the state Park access road and ranger station required by the MOU are:
  - a. All work will be carefully coordinated with design work being accomplished by Division's consultant.
  - b. All turning radii on the New Access Road (to the state Park) will be sufficient to accommodate semi-trucks with trailers, pickup trucks and 'fifth-wheel' camper trailers, school buses and full-sized recreational vehicles.
  - c. The design shall provide a means for vehicles to turn around outside the Park property (such as a cul-de-sac) for vehicles that arrive after the Park gate has closed.
  - d. Bicycle-pedestrian facilities shall be provided for alternative access to the state Park. At a minimum this will consist of dedicated incoming and outgoing bike lanes on the Park road.
  - e. Design work shall be such that City's project and Division's project may be integrated into single a construction a contract or contracts, to the greatest extent possible.

**Previous City Actions:** The City adopted the Truman Waterfront Park Master Plan, and in 2014 directed the City staff to proceed with the aid of the City's consultant, Bermello Ajamil, to

complete construction and bid documents for that portion of the Park designated Phase I, while resolving with the US Navy and the state FDEP, environmental land use controls for all City owned parcels. This work is ongoing.

**Planning Staff Analysis:** The proposed MOU is the most efficient method to coordinate the efforts of the City in Park construction with the needs of the state to continue to provide access to the Fort Zachary Taylor as during design and construction of a new state Park entrance and road. It also recognizes the City's close coordination with US Navy on the construction of the ECP to the Outer Mole. It is in the best interest of the City to approve the MOU because it is essential to the capability of constructing the Park's roads. Absent the MOU, the state has an existing easement it can maintain. However, the existing easement is inconsistent with both the Truman Park design and US Navy requirements for Outer Mole access and security requirements.

**Options/Advantages/Disadvantages:**

**Option 1: Approve the Memorandum of Understanding with the state of Florida.**

- 1. Consistency with the City's Strategic Plan, Vision, and Mission:** The key Strategic Plan goals supported by the approval of the MOU are Infrastructure Goal #1 - A safe and functional transportation system and Infrastructure Goal #3- Parks and recreation areas accessible to all residents and visitors.
  
- 2. Financial Impact:** Entering into the proposed MOU would not have any financial impact. The roadway projects mentioned above are already separately budgeted for.

**Option 2: Disapprove the Memorandum of Understanding with the state of Florida**

- 1. Consistency with the City's Strategic Plan, Vision, and Mission:** This option would be in direct contravention to the Goals stated above and could delay the implementation of Truman Park, as well as complicate the implementation of the new ECP and jeopardize grant funding.
  
- 2. Financial Impact:** None.

**Recommendation:**

The Planning Department recommends **approval** of Option 1.