



THE CITY OF KEY WEST

201 William Street Key West, FL 33040 (305) 809-3790

EXECUTIVE SUMMARY

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TO: Jim Scholl, City Manager

CC: Sarah Spurlock, Assistant City Manager

FROM: Doug Bradshaw, Port and Marine Services Director

DATE: July 17, 2014

SUBJECT: A referendum to accept title to approximately 8.87 acres of land located commonly referred to as City Marina at Garrison Bight from the State of Florida

ACTION STATEMENT

A referendum authorizing the City of Key West to accept title to approximately 8.87 acres of land located at 1801 North Roosevelt Blvd., and commonly referred to as City Marina at Garrison Bight from the State of Florida.

PROJECT ISSUE

Resolution No. 2218, adopted by the City Commission of the City of Key West on April 10, 1963 conveyed approximately 11 acres of City of Key West owned upland and submerged lands for the construction of Garrison Bight Causeway (Palm Ave Bridge), including roadway, bridge and parking areas under the County Secondary Road Program for the fiscal year of 1963-1964. It was the understanding by both parties that once construction was completed, the City of Key West would be transferred back approximately 8.87 acres of the land for the continued use for public parking, public boat ramps, public dockmaster facility, and a commercial and live-aboard marina. The transfer back to the City never occurred.

District Secretary, District Six Florida Department of Transportation (FDOT) on September 17, 2002 pursuant to the provisions of Section 337.25 Florida Statutes, agreed to quitclaim back the non-essential lands of the Garrison Bight Causeway. Resolution No. 03-167, adopted by the City Commission of the City of Key West on May 6, 2003, formally requested the reconveyance of the land.

City Staff has been working with FDOT since that Resolution was passed to complete the transfer. However, personnel changes in both the City and FDOT as well as survey requirements continued to change and the process dragged on for

Key to the Caribbean – Average yearly temperature 77° F.

several years. The City did finally receive a proposed quitclaim deed to the property mid-year 2013 and staff was ready to complete the transfer through City Commission approval. However, in 2007 the City of Key West Charter Section 1.08 was amended that required “Annexation or acquisition by any means, of any and all real property may only be by a vote of the electors of the City”. Transfer of the property from FDOT of the City of Key West is required to go to referendum.

OPTIONS

There are three options:

1. Approve the ordinance and language in the referendum
2. Approve the ordinance with modified referendum language
3. Disapprove the ordinance and operate City Marina under a proposed License to the FDOT.

ADVANTAGES/DISADVANTAGES

Option 1 and 2 transfers the land back to the City as originally intended and the City will continue to operate the marina. Without the transfer the City will continue to operate the marina under a license, but would have to get written approval from FDOT for any improvements or modifications to the property. Additionally by the City not being the property owner, FDOT would control all future uses and development.

FINANCIAL ISSUES

Beyond minor cost for deed recording, there is no additional financial obligation required from the City.

RECOMMENDATION

City staff recommends that City Commission approve the ordinance and language in the referendum.