



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

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### EXECUTIVE SUMMARY

**DATE:** October 30, 2019

**TO:** Greg Veliz, City Manager

**FROM:** John Paul Castro, Utilities Director

**Cc:** Patti McLauchlin, Assistant City Manager

**SUBJECT:** **Approving the Easement for a Parcel of Sovereignty Submerged Lands That Includes the Wastewater Pipe Span Crossing Fleming Key Channel.**

#### **Action Statement:**

This resolution will approve the easement for a parcel of sovereignty submerged land granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida that includes the pipe span crossing Fleming Key Channel to the wastewater treatment facility, for a period of 50 years, pursuant to Sec. 2-901, granting to the City Commission the approval of easement agreements.

#### **Background:**

Sovereignty Submerged Land Use Agreement, U-0121, was granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida to the City of Key West, for siting sewer transmission force mains, potable water lines, and electrical conduits on a pipe span crossing Fleming Key Channel.

Sovereignty Submerged Land Use Agreement, NO. U-0121, provided for lease of a 25-foot wide strip of submerged lands across Fleming Key Channel, 0.17 acres, more or less, for a period of 30 years from April 24, 1987, has expired.

#### **Purpose and Justification:**

The city's wastewater treatment facility is located on Fleming Key. The pipe span supporting the pipe lines for transmission of wastewater, water, and power to the treatment facility is a critical component in the operation of the wastewater treatment facility.

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

Proposed Sovereignty Submerged Lands Easement, NO. 42347, will grant a nonexclusive easement on, under and across Fleming Key Channel, an area containing 7,405 square feet, more or less, to be used for sewer and potable water lines, and electrical conduits that are required for operation of the city's wastewater treatment facility.

**Options:**

1. Approve Sovereignty Submerged Lands Easement NO. 42347, granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for a parcel of sovereignty submerged land across Fleming Key Channel, containing 7,405 square feet, more or less, to be used solely for sewer and potable water lines, and electrical conduits, for a period of 50 years from April 24, 2017. This option provides for the operation, maintenance, and repair of the wastewater transmission force mains, potable water lines, power and communication cables that will continue operation of the wastewater treatment facility on Fleming Key.
2. Not approve Sovereignty Submerged Lands Easement NO. 42347, granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for a parcel of sovereignty submerged land across Fleming Key Channel, containing 7,405 square feet, more or less, to be used solely for sewer and potable water lines, and electrical conduits, for a period of 50 years from April 24, 2017. This option removes the authorization to operate and maintain the wastewater transmission force mains, potable water lines, power and communication cables across Fleming Key Channel.

**Financial Impact:**

There are no costs to the City of Key West, Florida.

**Recommendation:**

Staff recommends option number one; approve Sovereignty Submerged Lands Easement, NO. 42347, granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for a parcel of sovereignty submerged land across Fleming Key Channel, containing 7,405 square feet, more or less, to be used solely for sewer and potable water lines, and electrical conduits, for a period of 50 years from April 24, 2017; and authorize the Mayor to execute the easement.