

**AMENDMENT ONE TO THE INTERLOCAL AGREEMENT
BETWEEN THE CITY OF KEY WEST, FLORIDA,
AND
MONROE COUNTY, FLORIDA FOR FLAGLER AVENUE ROAD RESILIENCY AND
ADAPTATION PROJECT**

THIS AMENDMENT ONE TO THE INTERLOCAL AGREEMENT is entered into this 15th day of July, 2026 by and between The City of Key West, (hereinafter the “City”) and Monroe County (hereinafter the “County”), Florida, each of which is an independent, existing entity serving as a public agency under the laws of the State of Florida.

WHEREAS, the City of Key West (City) is a municipal corporation of the State of Florida;
and

WHEREAS, Monroe County (County), is a political subdivision of the State of Florida;
and

WHEREAS, Flagler Avenue from the intersection of First Street to South Roosevelt (A1A) is a County maintained road within the municipal limits of the City of Key West; and

WHEREAS, Monroe County has undertaken a project to design and construct improvements to the Flager Avenue roadway and the stormwater management system servicing Flagler Avenue to make it more resilient to king tides and flooding, which shall be herein after referred to as the Flagler Avenue (Key West) Road Resiliency and Adaptation Project (“Project”);
and

WHEREAS, the stormwater management system once constructed will consist of a collection system of inlets and piping, two pump stations with stormwater treatment units, pumps, controls, and back up generators, force mains, injection wells for stormwater disposal and two emergency overflow outfalls; and

WHEREAS, the City and County entered into an ILA on May 20, 2026 to allow the use of portions of the City’s right-of-way and the City owned parcel adjacent to Flagler Avenue to construct the pump stations that will be a part of the Stormwater Management System; and

WHEREAS, the Project, once constructed, will benefit the residents of the City of Key West and Monroe County ; and

WHEREAS, the County Commission has directed staff for ongoing maintenance and operations to be funded by assessing benefited properties of similar road adaptation projects in the unincorporated county through implementation of a Municipal Services Benefit Unit (MSBU) annual assessment; and

WHEREAS, the City has implemented a stormwater utility to fund ongoing operations and maintenance of its stormwater management systems with the City which may function to assess benefited properties to fund ongoing operations and maintenance for this Project;

NOW THEREFORE, in consideration of the mutual covenants, representations and promises set forth in this Agreement and for other good and valuable consideration each to the other, receipt of which is hereby acknowledged by each party, the parties agree to add the following:

1. That upon completion of construction of the Stormwater Management System, the City will accept ownership of the Stormwater Management System and operate and maintain the system in perpetuity.

2. Add to Article I Definitions

“Stormwater Management System” means a collection system of inlets and piping, two pump stations with stormwater treatment units, pumps, controls, and backup generators, force mains, injection wells for stormwater disposal and two emergency overflow outfalls to support the Flagler Avenue (Key West) Road Resiliency and Adaptation Project.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on their behalf by the “City’s Mayor” and the “County’s Mayor”.

(SEAL)

CITY OF KEY WEST, FLORIDA

ATTEST:

Clerk

By: _____
Mayor

MONROE COUNTY

ATTEST:
KEVIN MADOK, CLERK

As Deputy Clerk

By: _____
Mayor