

EXECUTIVE SUMMARY

TO: Bob Vitas, City Manager
FROM: Mark Finigan, Assistant City Manager - Administration
DATE: February 4, 2014
SUBJECT: Concession Agreement - Key West Wild Bird Center, Inc.



Action statement:

This purpose of this resolution is to request approval by the City Commission of a Concession Agreement between the City of Key West and the Key West Wild Bird Center, Inc. Additionally, the City Commission is requested to allow the City Manager to execute the resulting Concession Agreement.

Background:

The City of Key West and the Key West Wild Bird Center, Inc. recently concluded, specifically January 6, 2014, a successful five year relationship via a Concession Agreement. Under the previous and now proposed agreement the concessionaire is granted the right to operate a wild bird rehabilitative center on part of a City owned parcel known as Indigenous Park. Exhibit A. depicts the specific area of operation under the proposed concession agreement. The proposed agreement is for a five (5) year period. As part of the agreement the concessionaire is obligated to accept all healthy and unhealthy chickens which are delivered to the property by the general public. The concessionaire further is obligated to relocate all healthy chickens to a site, as approved by the City Manager or designee, outside of Key West no less than every two months. In exchange for managing the "chicken program" the City of Key West will compensate the concessionaire \$4,166.66 for the care, habitat maintenance, medical supplies and relocation expenses incurred by the concessionaire. The subsidy amount of \$4,166.66 is not subject to escalation or increase and in fact is the same amount provided for under the recently expired five year agreement.

Under the prior agreement, and called for under the proposed agreement, concessionaire provides continuous financial reporting for the expenses incurred in managing the chicken relocation segment of their business. It is clear from an inspection of the concessionaire's books and records over the last several years that the City's subsidy is in line with the actual cost incurred to properly and responsibly manage the "chicken program". In fact, when the City stopped managing the program back in the 2008/2009 time frame, the operating cost per annum when considering personnel, operating and capital requirements well exceeded the current day annual

subsidy. In short, the Key West Wild Bird Center, Inc. addresses the City's "chicken relocation" efforts in a much more efficient and cost effective manner.

Financial Impact:

The annual subsidy of \$4,166.66 is budgeted in the General Fund under line item 001-7201-572.34.

Recommendation:

Approve the Concession Agreement between the City of Key West and the Key West Wild Bird Center, Inc. and to allow the City Manager to execute same.