



THE CITY OF KEY WEST

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MEMORANDUM

EXECUTIVE SUMMARY

TO: Bob Vitas, City Manager

CC: Mark Finigan, Assistant City Manager - Administration
E. David Fernandez, Asst. City Manager – Operations
Mark Tait, Marina Manager

FROM: Carolyn Sheldon, Senior Grants Administrator

DATE: September 5, 2013

RE: **Approval of Amendment No. 1 to Department of Environmental Protection Agreement No. MV078 Wahoo and Kingfish Piers Pump Out project for a time extension to August 31, 2014 and to increase funding from \$69,780.14 to \$96,393.75 (total increase of \$26,613.61); authorizing the City Manager to execute the amendment; authorizing necessary budget amendments or transfers related to the increase in funding**

ACTION STATEMENT:

This resolution will approve Amendment No. 1 to Department of Environmental Protection Agreement No. MV078 Wahoo and Kingfish Piers Pump Out project for a time extension to August 31, 2014 and to increase funding from \$69,780.14 to \$96,393.75 (total increase of \$26,613.61); authorizing the City Manager to execute the amendment and authorizing necessary budget amendments or transfers related to the increase in funding.

BACKGROUND:

The Clean Vessel Act (CVA) of 1992 was signed into law to reduce pollution from vessel sewage discharges, prohibiting the discharge of raw sewage into fresh water or within coastal saltwater limits. The act established a federal grant program administered by the U.S. Fish and Wildlife Service, which to date has awarded nearly \$150 million for states to install thousands of sewage pumpout stations. The Florida Department of Environmental Protection (DEP) received funding from this grant program and awarded the City of Key West \$69,780.14 from the Clean Vessel Act Grant Program, DEP Agreement No. MV078, approved by the City Commission at a meeting held on June 5, 2012 (Resolution 12-189) for the purchase and installation of two (2) marine

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

sanitation sewer systems, also referred to as pumpouts, for Wahoo and Kingfish Piers at City Marina Garrison Bight.

The grant provides funding at 75% Federal with a 25% City share of the project cost. In addition, the City is obligated to monitor and report to the State the amount of sewage pumped quarterly and place a cap of \$5 per boat to pump out each vessel for a period of five (5) years following project completion, which is on or before August 31, 2014 if Amendment No. 1 is approved.

Gary's Plumbing was awarded the bid (Invitation to Bid # 13-021) on August 6, 2013, Resolution 13-192, for the marine sanitation sewer systems at Wahoo and Kingfish Piers in the amount of \$123,450.00. The increase in grant funding from \$69,780.14 to \$96,393.75 (if Amendment No. 1 is approved) will be sufficient to cover the Federal share of 75% of \$123,450.00, which is \$92,587.50.

PURPOSE AND JUSTIFICATION:

City Staff is requesting approval of Amendment No. 1 to DEP Agreement No. MV078 for a time extension and an increase in grant funding to purchase and install marine sanitation sewer systems at Wahoo and Kingfish Piers. This will make City Marina at Garrison Bight 100 percent pumpout compliant in all wet slips & meet part of the marina's objective as one of DEP's "Clean Marina" participants.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. The City Commission can approve Amendment No. 1 to DEP Agreement No. MV078. This will allow the City to extend the grant to August 31, 2014 and receive up to \$96,393.75 in Federal funding (25% City Share) to be used for the purchase and installation of two marine sanitation sewer systems, also referred to as pumpouts, for Wahoo and Kingfish Piers at City Marina Garrison Bight.
2. The City Commission can reject Amendment No. 1. With this option, the grant agreement will no longer be valid with its current expiration of August 17, 2013 and the funding provided will not be available for reimbursement to the City.

FINANCIAL IMPACT:

With the approval of Amendment No. 1, the City would receive an additional \$26,613.61 from DEP's Clean Vessel Act Grant Program to be added to the grant revenue already budgeted in account 413-0000-334-90-00 / GB1201. The expenses are budgeted in 413-7551-575-63-00.

RECOMMENDATION:

Staff recommends that the City Commission select option 1, approving Amendment No. 1 to DEP Agreement No. MV078 to extend the grant to August 31, 2014 and increase funding to \$96,393.75.