

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "CHAPTER 164 INTERGOVERNMENTAL DISPUTE MEDIATION AGREEMENT" AND GENERAL RELEASE IN THE AMOUNT OF \$850,000.00 AS FULL AND FINAL SETTLEMENT OF ALL CLAIMS AGAINST FLORIDA KEYS MOSQUITO CONTROL DISTRICT ("DISTRICT") WITH REGARD TO ENVIRONMENTAL REMEDIATION AT THE COLLEGE ROAD PROPERTY (NOW KNOWN AS GARDEN VIEW); AUTHORIZING THE CITY MANAGER TO EXECUTE ALL MEDIATION AND SETTLEMENT DOCUMENTS UPON THE ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West, Florida ("City"), raised a dispute against the District pursuant to Florida Statute Sec. 164.1052, regarding the cost of environmental remediation of property previously leased from the City by the District; and

WHEREAS, the City Commission has been fully informed regarding the circumstances and recommendations pertaining to the claim referred to herein above; and

WHEREAS, the City Commission desires to approve the Mediation Agreement, and execute related documents to complete the settlement, in order to further the financial interests of the city.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the City Commission approves the attached "Chapter 164 Intergovernmental Dispute - Mediation Agreement" between the City and Florida Keys Mosquito Control District, inclusive of a settlement in the amount of \$850,000.00, to cover the costs incurred in performing environmental remediation at the College Road property previously occupied by the District, and as full and final settlement of all claims resulting.

Section 2: That the City Manager is authorized and directed to execute and deliver to the District all settlement documents, including a general release (the "Release") of all damages resulting from or associated with the College Road environmental remediation, upon the advice and consent of the city attorney.

Section 3: That the City Clerk is hereby authorized to transmit a certified copy of this Resolution to Florida Keys Mosquito Control District.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2021.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2021.

Filed with the Clerk on _____, 2021.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK