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## THE CITY OF KEY WEST

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# EXECUTIVE SUMMARY

To: The City Commission for the City of Key West

From: George B. Wallace, Assistant City Attorney

Date: May 8, 2021

RE: Execution of Interlocal Agreement with Florida Keys Aqueduct Authority (FKAA)  
for joint remediation of pesticide contamination of real property owned or leased by  
FKAA

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### **Action statement:**

Authorize the Mayor to execute the proposed Interlocal Agreement defining the responsibilities of FKAA and the City of Key West in a joint undertaking to remediate the FKAA owned property to the north of the Key West planned Garden View Apartments location as well as the property owned by the City of Key West and leased by FKAA to the East of the Garden View property.

### **Background**

The City of Key West recently completed the remediation of the property which will soon become the site of the Garden View Apartment Affordable Housing Rental Complex. While the site is clear the City and FKAA have an opportunity to remediate the small area of contamination on the property to the north and east of the Garden View site which exceed residential tolerance levels for pesticide. These sites do not exceed

tolerance levels for the current commercial use and the site could otherwise be closed by DEP by the recording of deed restrictions agreeing not to use the properties for residential purposes in the future until the property no longer exceeded the residential tolerance threshold.

FKAA has requested the properties be remediated and the City has agreed to do so while access to the affected area can be obtained.

The proposed ILA reflects the agreed upon scope of work and responsibilities of the respective entities.

**Recommendation:**

To approve the proposed resolution authorizing the Mayor to execute the proposed ILA with the FKAA.

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