

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA HEREBY APPROVING THE EASEMENT AGREEMENT FOR RELOCATION OF THE FLEMING FORCE MAIN ON NAVAL AIR STATION KEY WEST - TRUMBO POINT ANNEX; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ANY OTHER NECESSARY RELATED DOCUMENTS AND ASSOCIATED BUDGET TRANSFERS/ADJUSTMENTS, UPON THE ADVICE AND CONSENT OF THE CITY ATTORNEY; APPROVING THE PAYMENT OF \$75,260.00 FOR A TEMPORARY CONSTRUCTION EASEMENT AND A FIFTY (50)-YEAR EASEMENT, FUNDED FROM PROJECT NO. SE35031802 AND ACCOUNT NO. 4013503-5356500 (CONSTRUCTION-IN-PROGRESS), TO BE SATISFIED THROUGH A CREDIT TO A FUTURE UTILITY SEWER BILL ISSUED TO THE UNITED STATES NAVY, SUBJECT TO THE APPROVAL OF THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fleming Force main relocation project proposes to construct new force main below Fleming Key cut, allowing the abandonment of the existing force main located on an aerial crossing adjacent to the Fleming Key Bridge; and

WHEREAS, the Force Main conveys all City wastewater to the wastewater treatment plant which, in its current location, is exposed and vulnerable to boat and debris strikes. Although the force main has never been ruptured from a strike, the Fleming Key Bridge has been struck several times; and

WHEREAS, during and following Hurricane Irma, three (3) separate vessel strikes against the bridge were recorded. Outside of major storm events the force main remains vulnerable; in April of 2019 a barge struck the utility bridge due to operator error and required an emergency repair to the damaged and unstable

bridge pier, with a cost of \$881,502.00 ; and

WHEREAS, the Force main relocation project meets two (2) of the previous Cities Strategic Plan goals and objectives as bulleted below; and

- Climate Adaptation - Goal 1: Protect critical infrastructure from flooding and wind hazards. Removing the force main from an exposed location to a completely underground installation will 100% eliminate the risk of rupturing this critical piece of infrastructure due to impact.
- Environmental Protection - Goal 1: Improve near-shore water quality. In this case, the protection of near-shore water quality. A force main rupture in this location would be catastrophic to our nearshore water quality.

WHEREAS, this Easement Agreement is for both the temporary construction easement and a fifty (50)-year permanent easement. The project is 100% designed and authorization of this Easement Agreement will allow permitting to be completed followed by bidding for construction; and

WHEREAS, costs for the Temporary Construction Easement and the fifty (50)-year Easement are \$75,260.00 and will be paid from Project Number SE35031802, Account Number 4013503-5356500 Construction-In-Progress. The Navy requests this payment be made via a credit on a future Navy Utility sewer bill, requiring an internal budget transfer; and

WHEREAS, the City Manager's Office recommends approval of the Easement Agreement and authorization for the City Manager, or designee, to negotiate and execute necessary contracts, in

accordance with the Agreement, and any necessary related budget transfers and/or adjustments, subject to the advice and consent of the City Attorney;

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

Section 1: The City Commission hereby approves the Easement Agreement between the City of Key West and the United States of America for relocation of the Fleming Force Main on NAS Key West - Trumbo Point Annex.

Section 2: That the City Manager is hereby authorized to execute related contracts, in accordance with the Agreement, and any necessary related budget transfers and/or adjustments, subject to the advice and consent of the City Attorney.

Section 3: That the total cost associated with the Temporary Construction Easement and the fifty (50)-year Easement is \$75,260.00, to be paid from Project No. SE35031802, Account No. 4013503-5356500 (Construction-In-Progress), and satisfied through a credit to a future utility sewer bill issued to the United States Navy, as requested by the Navy, together with any necessary internal budget transfers and/or adjustments, subject to the review, approval, and legal sufficiency of the City Attorney.

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 _____, 2026.

Authenticated by the Presiding Officer and Clerk of the Commission on the _____ day of _____, 2026.

Filed with the Clerk on _____, 2026.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Sam Kaufman	_____
Commissioner Greg Veliz	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK