

Sept 27 to Ms. Bernaldi at 4:31 Sept 29 From Chris Hamilton

Christina —

Thank you, this is genuinely helpful, and I'm glad the question is getting a definitive answer. Two quick things so I represent it accurately:

(1) Can you share the date you submitted the request to the County Attorney, and

(2) when you receive the written opinion, would you send it my way?

I'd like to report the resolution either way. And

(3) if the cruise-fee question has any similar paper trail, I'd still welcome it. Thanks again for chasing this down.

Thank you,
Chris

Chris Hamilton
Friends of Car-Free Key West

Tue, Sep 29, 4:07 PM (1 day ago)

Christina Bernaldi
to Michael, me, Monica

Good afternoon Chris,

At the budget hearing, my response was based on the guidance and information we had received regarding the limitations on using Tourist Development Tax revenues for public transit. Historically, our understanding has been that TDC revenues are not available as a general funding source for transit operations and generally needed to be tied directly to the attraction of visitors—what is sometimes informally described as putting "heads in beds"—rather than simply providing a service that tourists may use.

Because this question continues to arise, I have requested a definitive written opinion from the Monroe County Attorney's Office specifically addressing whether all or a portion of the Duval Loop's operating costs could qualify for TDC funding and, if so, what the City would need to demonstrate or document in order for that funding to be considered. We also need to clarify that if funding the Duval Loop is allowable, what would the application and approval process entail? Would the City need to apply through an existing annual TDC

funding process, such as the capital infrastructure funding process, or would a different process be required?

If a determination is made that the Duval Loop is an allowable use of TDC revenues, this would establish eligibility; it would not guarantee that the City would receive funding. Any funding request would most likely still need to go through the appropriate TDC and County process and compete within the broader framework for the use of those revenues.

In other words, the legal determination is the threshold question. Based on the funding allocation processes that the City has been involved in in the past, I would expect considerations such as countywide equity, existing funding commitments and allocations, and the transportation needs of other areas of Monroe County to factor into that decision.

Christina Bernaldi

Sept 27 To: Director of Finance From Chris Hamilton

Hi Christina -

I'm following up to please get the information that backs up the reasoning on why staff told the Mayor TDC funds cannot be used for the Duval Loop at the budget meeting.

Thank you,
Chris

Sept 15 From Chris Hamilton

Hi Christina -

I'm writing to find out the reasoning on why staff told the Mayor at the budget hearing last week that the Duval Loop couldn't be funded by TDC funds. We've been [chasing this story](#) for more than a year and if there's a resolution to the question on whether or not this idea is now permanently closed, we'd like to be able to put it to bed.

Any documents, opinions and the like that backup the contention would be greatly appreciated. Similarly, if there's any substantiation on why cruise ship disembarkation fees never surfaced as a solution, we'd appreciate that too.

Thanks,
Chris