

Christopher Hamilton <chrishamilton170@gmail.com>

Tue, Sep 29, 7:26 PM (22 hours ago)

to Hurley-Christine

Hi Christine -

I don't see any City staff on the email string you sent me. Who in the City did you correspond with? What did you tell them? And when? I'm trying to nail down why they don't seem to have the information.

Thanks,

Chris

On Tue, Sep 29, 2026 at 6:12 PM Hurley-Christine <Hurley-Christine@monroecounty-fl.gov> wrote:
Sorry. Yes I meant city staff. Sorry.

Christine Hurley, AICP

From: Hurley-Christine

To: Cc: "Brian L. Barroso"; "Samuel Kaufman"

"Christina Bernaldi"; "Rogelio Hernandez"; Rod Delostrinos; Boan-Tina; Crane-Cathy; Franker-Kara; Limbert-Christine; Shillinger-Bob

Bcc: County Commissioners and Aides

Subject: Date: Attachments: RE: FY 26-27 Transit Budget

Friday, September 4, 2026 10:21:00 AM

[AGO Opinion Funding transit system with tourist development tax.pdf](#)
[image001.png](#)

[How To Get LKS Improvements + Stock Island Transit In FY27.msg](#)

[RE EXTERNAL Fw Using Tourist Tax Funds for Tourist Serving Transit.msg](#)

City Manager Barroso, Mayor Kaufman, County Commissioners (bcc'd herein):

Please review the email attached (3rd attachment). Christine Limbert, Assistant County Attorney provided this legal opinion to us this morning, since we are briefing our commissioners in preparation for our 9/9 first budget hearing. It answers the legal question about what can legally be funded in the transit world by TDC funding. The first attachment in an Attorney General Opinion. We cannot use TDC funds for general transit expenses.

The 2nd attachment is an email sent to our Commissioners from Chris Hamilton. Just to make sure, Chris's article implies all services on the county side of Stock Island have been eliminated. But, I just need to verify, there is a bus stop on this site of Stock Island at US1 and 3rd street near Wreckers Cay. Is that still correct?

Thank you,

Christine Hurley, AICP

Monroe County (Florida Keys) Administrator

1100 Simonton Street

Key West, Florida, 33040

From: Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>

Sent: Friday, August 28, 2026 4:46 PM

To: Samuel Kaufman <skaufman@cityofkeywest-fl.gov>; Christina Bernaldi

<cbernaldi@cityofkeywest-fl.gov>; Rogelio Hernandez <rhernandez@cityofkeywest-fl.gov>; Rod

Delostrinos <rdelostrinos@cityofkeywest-fl.gov>

Cc: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>

Subject: RE: FY 26-27 Transit Budget

...

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

Mayor Kaufman,

Good afternoon and thank you for outlining the additional information you would like regarding transit services as we approach final consideration of the FY 2026–27 budget on September 10. I agree that the Commission should have a clear understanding of our current transit operations,

ridership, funding structure, and available service alternatives before considering any additional financial commitment. I will have the appropriate staff begin compiling the information you requested and prioritize those items that can reasonably inform the September 10 budget discussion. The scope of the request is significant, particularly the development of multiple service and frequency scenarios, validation of annual operating costs, identification of sustainable funding sources, and compilation of 12 months of stop-level APC/electronic farebox data. Staff will provide the information that is readily available and work through the additional analysis as quickly as reasonably possible. Where information cannot be responsibly completed or validated before September 10, we will identify those items and provide a timeline for completion rather than provide preliminary estimates that may not accurately reflect the City's costs or operational requirements.

As we evaluate these options, I believe it is important to distinguish between identifying potential service improvements and committing the City to a new recurring level of service. Any expansion of frequency, operating hours, routes, or on-demand service should be supported by validated operating and capital costs, demonstrated operational feasibility, available vehicles and staffing, ridership demand, and, most importantly, a sustainable recurring funding source. I share your interest in maximizing grants, partnerships, dedicated transportation revenues, County participation, TDC opportunities where eligible, and other available sources before placing additional demands on the General Fund. One-time grants or fund balances can be valuable for capital purchases, pilots, or implementation costs, but they should be carefully evaluated before being used to initiate a service level that creates an ongoing operating obligation in subsequent fiscal years.

I will also ask staff to identify practical near-term options that could improve frequency or coverage within existing resources, as well as those options that would require additional funding, staffing, vehicles, or contractual commitments. This distinction should allow the Commission to evaluate what may be achievable immediately versus what requires additional planning and investment. I would also note that our Transit team has spent the better part of this year developing the proposed new Island Hopper service and operating model. That work has involved significant analysis, planning, coordination, and preparation to develop a service that staff believes can be operationally and financially supported. With the final budget hearing now less than two weeks away, materially redesigning that service or developing and validating multiple new service models for incorporation into the FY27 budget would, in my view, be an unreasonable expectation for staff to responsibly deliver within the remaining timeframe.

That does not mean these alternatives should not be evaluated. To the contrary, I believe the appropriate approach is to provide the Commission with the information currently available, identify opportunities that warrant further analysis, and allow staff the necessary time to properly develop costs, funding strategies, ridership impacts, staffing requirements, and implementation plans. If the Commission wishes to pursue a particular enhancement after that analysis, we can return with a fully developed recommendation and, where appropriate, a budget amendment or future funding strategy. Our responsibility at this stage should be to protect the integrity of the work already completed while remaining open to improvements supported by sound data and sustainable funding. I would be hesitant to recommend materially changing a service plan that has been under development for most of the year based on preliminary information developed in the final days of the budget process.

We will work to provide as much of the requested information as reasonably possible before September 10 and will distribute the resulting materials to the full Commission so that everyone has the same information available for consideration. Thank you for the request and I appreciate the focus on improving mobility, and our team remains committed to doing so in a manner that is thoughtful, operationally achievable, and financially sustainable. Putting Key West First!

Thank you in advance,

City of Key West Seal **Brian L. Barroso, M.B.A.**

City Manager

City of Key West

1300 White Street

Key West, Florida 33040

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brian.barroso@cityofkeywest-fl.gov

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PUBLIC RECORD NOTICE: Please be advised that Florida has a broad public records law. Most written communications to or from City officials and employees regarding City business are public records available to the public and media upon request. Your email communication may therefore be subject to public disclosure.

From: Samuel Kaufman <skaufman@cityofkeywest-fl.gov>

Sent: Friday, August 28, 2026 4:36 PM

To: Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Christina Bervaldi <cbervaldi@cityofkeywest-fl.gov>; Rogelio Hernandez <rhernandez@cityofkeywest-fl.gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>
Subject: FY 26-27 Transit Budget

Mr. Barroso:

As we prepare for final consideration of the FY 2026–27 budget on September 10, I would like additional information regarding our transit services and the options available to improve service and frequency.

My goal is to make sure the Commission has sufficient information to consider whether additional transit service and funding should be included in the final budget. Please provide the following:

1. Service options and costs. Please provide estimated annual costs, and where practical more limited or seasonal options, for:
 - Restoring the Duval Loop;
 - Increasing Island Hopper frequency, including 45-minute and 30-minute service;
 - Expanding evening service;
 - Maintaining or expanding an on-demand/Key West Rides component;
 - Increasing Lower Keys Shuttle frequency; and
 - Improving service to Stock Island.
2. Funding options. For each of the above, please identify potential funding sources, including existing transit funds, parking revenues, Transportation Alternative Fund revenues, grants, County participation, TDC funding, or other available sources. Please distinguish between recurring and one-time funding.
3. Current transit funding. Please provide a breakdown of the Transportation Alternative Fund and other significant transfers or allocations involving Transit in the proposed FY27 budget, including what services those funds are intended to support.
4. Grants and outside funding. Please identify transit grants applied for or received during the past 12 months, pending applications, required local matches, and other grant opportunities staff believes could reasonably be pursued. Please also advise regarding any discussions or requests to Monroe County or the TDC for participation in transit funding.
5. Ridership data. Please provide the most recent 12 months of available APC/electronic farebox data for the Lower Keys Shuttle and Key West local services, including Key West Rides, Workforce Express, Duval Loop and Island Hopper where available. Ideally, the data should include route/trip, date and time, stop, boardings and vehicle information and be provided electronically in Excel or CSV format. This stop-level information will help us better understand ridership and possible service and transfer improvements.
6. Island Hopper. Please provide the current operating plan and budget for the Island Hopper, including routes/stops, hours, frequency, vehicles, staffing, projected ridership and the assumptions used in developing the service. Because the final budget hearing is September 10, I would appreciate receiving this information as soon as reasonably possible so that Commissioners and staff have time to evaluate potential options before the hearing.

I am particularly interested in identifying practical ways to increase transit service and frequency while maximizing grants, partnerships and other funding sources before relying upon additional City General Fund dollars.

Thank you for your help and for getting this information together.

Sam Kaufman

Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit



Limbert-Christine <Limbert-Christine@monroecounty-fl.gov>

Sep 4, 2026,
8:50 AM

to Hurley-Christine, Shillinger-Bob, Boan-Tina, Franker-Kara, Tennyson-Lisa

See responses below.

Christine M. Limbert-Barrows
Sr. Asst. County Attorney
Monroe County Attorney's Office
P.O. Box 1026
Key West, FL 33041-1026
[\(305\) 292-3470](tel:3052923470)
[\(305\) 292-3516](tel:3052923516) (fax)

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From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>

Sent: Thursday, September 3, 2026 12:41 PM

To: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>

Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>; Franker-Kara <kara@fla-keys.com>; Tennyson-Lisa <Tennyson-Lisa@MonroeCounty-FL.Gov>; Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>

Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

A lot is being discussed publicly about transit costs right now. So we are all on the same page, Christine Limbert: **Can existing funds be used to fund the stock island bus stop route into KW or the bus route from Marathon to KW? NO, service would need to have one of its main purposes the attraction of tourist as evidenced by the promotion of the service.** Both are providing transportation to workers who work in KW. See attached ppt slides outlining what they're asking. Today, the KW Commission indicated they want the county to contribute. We already set the millage in July. Because KW keeps talking about using TDC funding for transit, we need to make sure our commissioners understand what is legally possible. We start budget briefings tomorrow morning with Cates at 9 am. When I read the AGO (1st attachment), the transit must be to:

The original question I asked in January was about funding Duval Loop, which to me, was somewhat a service for the tourists. But, these two routes they are now talking about are for the

workforce that works in businesses tourists use. **Is there anyway you can provide an answer before we meet with commissioners before tomorrow morning?**

Next question that we don't need answered by tomorrow: If the BOCC supported adding an additional 1 cent tax, could that be used for the stock island bus stop route into KW or the bus route from Marathon to KW? Short answer is no. For the same reason above.

Thank you,

Christine Hurley, AICP
Monroe County (Florida Keys) Administrator
1100 Simonton Street
Key West, Florida, 33040

From: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>
Sent: Tuesday, January 13, 2026 8:34 AM
To: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

That is correct.

Christine M. Limbert-Barrows
Sr. Asst. County Attorney
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(305) 292-3516 (fax)

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From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>
Sent: Tuesday, January 13, 2026 6:42 AM
To: Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>; Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: Re: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

And just verifying. No action by State legislature would be necessary because the extra penny is already existing?

Christine Hurley, AICP
Monroe County Administrator (Florida Keys)
1100 Simonton Street
Key West, FL 33040

[305-393-3361](tel:305-393-3361)

From: Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Sent: Monday, January 12, 2026 10:20:07 AM
To: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

The BOCC would need to pass a resolution directing the Supervisor of Elections to place a referendum question on the November ballot by no later than the BOCC's 7/15/26 meeting.

From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>
Sent: Monday, January 12, 2026 8:02 AM
To: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

Thank you. I missed this email. Sorry.

Is this the correct process:

KW would pass a resolution asking County BOCC to pass an ordinance

BOCC would pass ordinance

Referendum would be held

If passed, additional penny would be levied.

Do you all know the "deadline" we'd have to do a referendum for Nov 2026?

Christine Hurley, AICP
Monroe County (Florida Keys) Administrator
1100 Simonton Street
Key West, Florida, 33040

From: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>
Sent: Thursday, January 8, 2026 8:38 AM
To: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>

Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>

Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

There are two pennies that are not currently levied under the statute (see below). Neither specifically provide for transportation, but they do have the same language which authorizes use of tourist development tax revenues for “an activity, service, venue, or event” when one of its main purposes is to attract tourism which was basis for AGO opinion which opined that while in the does not encompass funding to operate a transit system in general, it would support funding for specific transportation services that are clearly intended to attract tourism.

- Additional 1-percent; This is not imposed under 125.0104(l)

(l) In addition to any other tax which is imposed pursuant to this section, a county may impose up to an additional 1-percent tax on the exercise of the privilege described in paragraph (a) by ordinance approved by referendum pursuant to subsection (6) to:

1. Pay the debt service on bonds issued to finance the construction, reconstruction, or renovation of a professional sports franchise facility, or the acquisition, construction, reconstruction, or renovation of a retained spring training franchise facility, either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred prior to the issuance of such bonds.

2. Pay the debt service on bonds issued to finance the construction, reconstruction, or renovation of a convention center, and to pay the planning and design costs incurred prior to the issuance of such bonds.

3. Pay the operation and maintenance costs of a convention center for a period of up to 10 years. Only counties that have elected to levy the tax for the purposes authorized in subparagraph 2. may use the tax for the purposes enumerated in this subparagraph. Any county that elects to levy the tax for the purposes authorized in subparagraph 2. after July 1, 2000, may use the proceeds of the tax to pay the operation and maintenance costs of a convention center for the life of the bonds.

4. Promote and advertise tourism in the State of Florida and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event shall have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists.

The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2-percent tax authorized by this section, and the provisions of paragraphs (4)(a)-(d), shall not apply to the additional tax authorized in this paragraph. The

effective date of the levy and imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by referendum or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance.

- Additional 1- cent under 125.0104(n) is not imposed

(n) In addition to any other tax that is imposed under this section, a county that has imposed the tax under paragraph (l) may impose an additional tax that is no greater than 1 percent on the exercise of the privilege described in paragraph (a) by ordinance approved by referendum pursuant to subsection (6) to:

1. Pay the debt service on bonds issued to finance:

- a. The construction, reconstruction, or renovation of a facility either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred prior to the issuance of such bonds for a new professional sports franchise as defined in s. 288.1162.

- b. The acquisition, construction, reconstruction, or renovation of a facility either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred prior to the issuance of such bonds for a retained spring training franchise.

2. Promote and advertise tourism in the State of Florida and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event shall have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists.

A county that imposes the tax authorized in this paragraph may not expend any ad valorem tax revenues for the acquisition, construction, reconstruction, or renovation of a facility for which tax revenues are used pursuant to subparagraph 1. The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2-percent tax authorized by this section shall not apply to the additional tax authorized by this paragraph in counties which levy convention development taxes pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and

imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by referendum or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of the ordinance.

Christine M. Limbert-Barrows
Sr. Asst. County Attorney
Monroe County Attorney's Office
P.O. Box 1026
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[\(305\) 292-3470](tel:(305)292-3470)

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From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>
Sent: Thursday, January 8, 2026 6:55 AM
To: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: Re: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

See snippet from article today. In the statute is there an ability to ask for an additional penny for transportation?

Christine Hurley, AICP
Monroe County Administrator (Florida Keys)
1100 Simonton Street

Key West, FL 33040
[305-393-3361](tel:305-393-3361)

From: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>
Sent: Tuesday, January 6, 2026 1:05:30 PM
To: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

It would normally be done through grant application process.

When we seek grant applications for capital projects and events, the applicants provide information to support that one of main purposes of the capital project or event is the

promotion of tourism. This information is used to support the determination made by the DAC, TDC and then BOCC based upon the information provided via the grant application process.

We currently don't have a grant application process for transportation, but I think we would be looking for the city to provide ridership information along with perhaps marketing to tourist and consideration of stops at tourist resorts and attractions.

Christine M. Limbert-Barrows
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Key West, FL 33041-1026
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From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>
Sent: Tuesday, January 6, 2026 12:35 PM
To: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

If no study is required, then how do you verify the transit service is for tourist/promotion of tourist vs. general public?

Christine Hurley, AICP
Monroe County (Florida Keys) Administrator
1100 Simonton Street
Key West, Florida, 33040

From: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>
Sent: Monday, January 5, 2026 3:54 PM
To: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

The attached AGO opinion provides as follows:

Section 125.0104(5)(a)3., Florida Statutes, which authorizes use of tourist development tax revenues for "an activity, service, venue, or event" when one of its main purposes is to attract tourism, does not encompass funding to operate a transit system in general, but would support funding for specific transportation services that are clearly intended to attract tourism.

TDT revenues can be used for an activity, service etc. such as transportation if one of the main primary purposes is the attraction of tourist/promotion of tourism.

I highlighted the section they refer to in the AGO opinion.

To answer your question, a study is not required under (5)(a)(3. of the statute. A study is only required under the “public facilities” category.

Christine M. Limbert-Barrows

Sr. Asst. County Attorney
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[\(305\) 292-3470](tel:(305)292-3470)

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From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>
Sent: Monday, January 5, 2026 2:52 PM
To: Limbert-Christine <Limbert-Christine@MonroeCounty-FL.Gov>; Shillinger-Bob <Shillinger-Bob@MonroeCounty-FL.Gov>
Cc: Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>
Subject: FW: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

Christine L.: Please read from the bottom up on this email. I copied and pasted the statute on authorized uses of TDT. If KW asked us to fund duval loop, would OUT TDC need to do an independent professional analysis demonstrating the positive impact of the infrastructure project on tourist-related businesses in the County?

(5) AUTHORIZED USES OF REVENUE.—

(a) All tax revenues received pursuant to this section by a county imposing the tourist development tax shall be used by that county for the following purposes only:

1. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more:

a. Publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, or auditoriums within the boundaries of the county or subcounty special taxing district in which the tax is levied;

b. Auditoriums that are publicly owned but are operated by organizations that are exempt from federal taxation pursuant to 26 U.S.C. s. 501(c)(3) and open to the public, within the boundaries of the county or subcounty special taxing district in which the tax is levied; or

c. Aquariums or museums that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public, within the boundaries of the county or subcounty special taxing district in which the tax is levied;

2. To promote zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public;

3. To promote and advertise tourism in this state and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event must have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;

4. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency;

5. To finance beach park facilities, or beach, channel, estuary, or lagoon improvement, maintenance, renourishment, restoration, and erosion control, including construction of beach groins and shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, channel, estuary, lagoon, or inland lake or river. However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. In counties of fewer than 100,000 population, up to 10 percent of the revenues from the tourist development tax may be used for beach park facilities;

6. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or finance public facilities within the boundaries of the county or subcounty special taxing district in which the tax is levied, if the public facilities are needed to increase tourist-related business activities in the county or subcounty special district and are recommended by the county tourist development council

created pursuant to paragraph (4)(e). Tax revenues may be used for any related land acquisition, land improvement, design and engineering costs, and all other professional and related costs required to bring the public facilities into service. As used in this subparagraph, the term “public facilities” means major capital improvements that have a life expectancy of 5 or more years, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, and pedestrian facilities. Tax revenues may be used for these purposes only if the following conditions are satisfied:

- a. In the county fiscal year immediately preceding the fiscal year in which the tax revenues were initially used for such purposes, at least \$10 million in tourist development tax revenue was received or the county is a fiscally constrained county, as described in s. 218.67(1), located adjacent to the Gulf of America or the Atlantic Ocean;
- b. The county governing board approves the use for the proposed public facilities by a vote of at least two-thirds of its membership;
- c. No more than 70 percent of the cost of the proposed public facilities will be paid for with tourist development tax revenues, and sources of funding for the remaining cost are identified and confirmed by the county governing board;
- d. At least 40 percent of all tourist development tax revenues collected in the county are spent to promote and advertise tourism as provided by this subsection; and
- e. An independent professional analysis, performed at the expense of the county tourist development council, demonstrates the positive impact of the infrastructure project on tourist-related businesses in the county; or

7. To employ, train, equip, insure, or otherwise fund the provision of lifeguards certified by the American Red Cross, the Y.M.C.A., or an equivalent nationally recognized aquatic training program, for beaches on the Gulf of America or the Atlantic Ocean.

Subparagraphs 1. and 2. may be implemented through service contracts and leases with lessees that have sufficient expertise or financial capability to operate such facilities.

(b) Tax revenues received pursuant to this section by a county of less than 950,000 population imposing a tourist development tax may only be used by that county for the following purposes in addition to those purposes allowed pursuant to paragraph (a): to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more zoological parks, fishing piers or

nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. All population figures relating to this subsection shall be based on the most recent population estimates prepared pursuant to the provisions of s. 186.901. These population estimates shall be those in effect on July 1 of each year.

(c) A county located adjacent to the Gulf of America or the Atlantic Ocean, except a county that receives revenue from taxes levied pursuant to s. 125.0108, which meets the following criteria may use up to 10 percent of the tax revenue received pursuant to this section to reimburse expenses incurred in providing public safety services, including emergency medical services as defined in s. 401.107(3), and law enforcement services, which are needed to address impacts related to increased tourism and visitors to an area. However, if taxes collected pursuant to this section are used to reimburse emergency medical services or public safety services for tourism or special events, the governing board of a county or municipality may not use such taxes to supplant the normal operating expenses of an emergency medical services department, a fire department, a sheriff's office, or a police department. To receive reimbursement, the county must:

- 1.a. Generate a minimum of \$10 million in annual proceeds from any tax, or any combination of taxes, authorized to be levied pursuant to this section;
 - b. Have at least three municipalities; and
 - c. Have an estimated population of less than 275,000, according to the most recent population estimate prepared pursuant to s. 186.901, excluding the inmate population; or
2. Be a fiscally constrained county as described in s. 218.67(1).

The board of county commissioners must by majority vote approve reimbursement made pursuant to this paragraph upon receipt of a recommendation from the tourist development council.

(d) The revenues to be derived from the tourist development tax may be pledged to secure and liquidate revenue bonds issued by the county for the purposes set forth in subparagraphs (a)1., 2., and 5. or for the purpose of refunding bonds previously issued for such purposes, or both; however, no more than 50 percent of the revenues from the tourist development tax may be pledged to secure and liquidate revenue bonds or revenue refunding bonds issued for the purposes set forth in subparagraph (a)5. Such revenue bonds and revenue refunding bonds may be authorized and issued in such principal amounts, with such interest rates and maturity dates, and subject to such other terms, conditions, and covenants as the governing board of the county shall provide. The Legislature intends that this

paragraph be full and complete authority for accomplishing such purposes, but such authority is supplemental and additional to, and not in derogation of, any powers now existing or later conferred under law.

(e) Any use of the local option tourist development tax revenues collected pursuant to this section for a purpose not expressly authorized by paragraph (3)(l) or paragraph (3)(n) or paragraphs (a)-(d) of this subsection is expressly prohibited.

Christine Hurley, AICP

Monroe County (Florida Keys) Administrator

1100 Simonton Street

Key West, Florida, 33040

From: Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>

Sent: Monday, January 5, 2026 1:08 PM

To: Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Crane-Cathy <Crane-Cathy@MonroeCounty-FL.Gov>; Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>

Cc: Rogelio Hernandez <rhernandez@cityofkeywest-fl.gov>

Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

CAUTION

Good afternoon, Christine,

Happy New Year. Here is the information you requested.

The Duval Loop cost just over \$1,000,000 to operate last year. There was no hard mechanism to capture type of rider (local v. tourist). Anecdotally, the ridership has been 90% tourist and 10% local. Let us know if you need more information. Thank you.

Very Respectfully,

Rod Delostrinos

Assistant City Manager

City of Key West

O: [305.809.3786](tel:305.809.3786)

C: [305.304.6860](tel:305.304.6860)

From: Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>

Sent: Monday, January 5, 2026 5:37 AM

To: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>; Crane-Cathy <Crane-Cathy@MonroeCounty-FL.Gov>; Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>

Cc: Rogelio Hernandez <rhernandez@cityofkeywest-fl.gov>

Subject: RE: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

Good morning, Happy New Year, and thank you, Christine. Our team will review and respond.

Thank you in advance,

Brian L. Barroso

City Manager

City of Key West

1300 White Street

Office: [305-809-3954](tel:305-809-3954)

Mobile: [305-315-5942](tel:305-315-5942)

Email: Brian.Barroso@cityofkeywest-fl.gov

From: Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>

Sent: Sunday, January 4, 2026 12:42 PM

To: Brian L. Barroso <brian.barroso@cityofkeywest-fl.gov>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>; Crane-Cathy <Crane-Cathy@MonroeCounty-FL.Gov>; Boan-Tina <Boan-Tina@MonroeCounty-FL.Gov>; Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>

Subject: [EXTERNAL] Fw: Using Tourist Tax Funds for Tourist Serving Transit

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Brian and Rod. Can you please send us data related to this below.

How much does the overall lower keys shuttle cost?

How much does county contribute? Cathy is ccd herein and can also answer.

How much does Marathon contribute?

How much does key west contribute?

And just for info. How much does KW spend on duval loop? And if you keep rider information (tourist vs local) please provide this as well.

Christine Hurley, AICP

Monroe County Administrator (Florida Keys)

1100 Simonton Street

Key West, FL 33040

[305-393-3361](tel:305-393-3361)

From: Christopher Hamilton <chrishamilton170@gmail.com>

Sent: Sunday, January 4, 2026 9:59 AM

To: Cates-Craig <Cates-Craig@MonroeCounty-FL.Gov>; BOCCDIS2 <boccdi2@monroecounty-fl.gov>; BOCCDIS3 <BOCCDIS3@MonroeCounty-FL.Gov>; BOCCDIS4 <BOCCDIS4@MonroeCounty-FL.Gov>; BOCCDIS5 <BOCCDIS5@MonroeCounty-FL.Gov>; Hurley-Christine <Hurley-Christine@MonroeCounty-FL.Gov>; Schemper-Emily <Schemper-Emily@MonroeCounty-FL.Gov>

Subject: Using Tourist Tax Funds for Tourist Serving Transit

CAUTION: This email originated from outside of the County. Whether you know the sender or not, do not click links or open attachments you were not expecting.

Honorable Commissioners -

The City of Key West is going to discuss using tourist tax dollars for tourist serving transit at its January 6 meeting (item #34) and they pose the question: "Do we support seeking tourist tax funds for tourist-serving transit like the Duval Loop?"

The answer is a clear and resounding YES!

But they can't do it alone. If they pursue this, they'll need your help and that's why I'm sharing the article we've written about the issue here "[Funding Transit Without Raising Local Taxes: A Win for Tourists and Residents](#)" and can also be found in this morning's [KONK Life newspaper](#) ad on [Substack](#).

Pursuing funding for services like the Loop and Lower Keys Shuttle will indeed enhance the visitor experience, alleviate congestion and bolster the hospitality industry - all while allowing you to pursue other sources for more resident-based transit. This will serve Key West but service along U.S. Route 1 like the Lower Keys Shuttle could also qualify and is why you should get involved please.

Importantly, and as we go into detail in this and a previous [TDT funding article](#), this is all backed up legally. As long as you do it right.

Our [workforce, residents, tourists and economy need a robust, reliable, transit system](#). This is a start on steady funding. Please pursue it.

Thank you for your consideration.

Chris

--

Chris Hamilton