

From: Jordan <jordanmannixlachner@gmail.com>
Sent: Monday, January 5, 2026 10:42 PM
To: District II; District I; District III; District IV; District V; District VI; Mayor E-Mail; City Clerk
External E-Mail
Subject: [EXTERNAL] Water Quality Contract,

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Good evening Mayor Henriquez and Commissioners,

I hope you and your families all had lovely holidays and a great start to the new year!

I wanted to share some concerns about the proposed water quality monitoring scope on tomorrow's agenda:

The Scope Subsumes the City's Entire Water Quality Program

Although this RFP was issued to replace the prior Water Quality Monitoring program that implemented Chapter 80, the proposed scope does not accomplish that task. Instead, it consolidates much of the City's broader Water Quality Program into a single, consultant-led effort, while failing to require water sampling and monitoring in Key West Harbor or the shipping channel. It does so without guaranteeing a minimum budget.

This approach risks undermining the City's water quality program by bundling numerous functions into one contract without dedicating minimum funding levels to ensure those functions are carried out. It also undermines Chapter 80-2 by failing to require harbor monitoring at all.

The departure from the prior CFK program is significant. Under CFK, water quality sampling in Key West Harbor and the ship channel at times occurred every 15 minutes over periods lasting 15 to 30 days. By contrast, the current scope does not mandate the collection of a single water sample in Key West Harbor or the ship channel.

Harbor Water Sampling & Chapter 80 Monitoring is Not Required

Despite its title, Task 0: Resume Key West Harbor Monitoring, does not require water sampling and monitoring in Key West Harbor or the ship channel. Instead, it requires Stantec to identify the "minimum technology necessary" to resume sampling and to develop a "proposed monitoring approach." Implementation is explicitly deferred until after the plan is approved (without any deadline), at which point the City, or the City Manager, is positioned to decide whether and how to proceed.

This stands in contrast to Task 4 (Beach Monitoring), which specifies minimum sampling frequency and laboratory testing. This stands out because Harbor sampling, which is central to Chapter 80, is not similarly guaranteed. Notably, the beaches are the only sites in this scope where water sampling is already occurring, through the State.

Task 0 further states that Harbor Monitoring funding must be shared with Task 4, with combined costs not to exceed \$43,355. Because Task 4 includes defined requirements (104 samples and laboratory testing) it could reasonably consume the majority of that budget.

This structure allows funds to be expended and reports to be produced, while monitoring itself may still never occur.

No Budget, No Minimum Spending on Sampling, No Clear Funding Allocation

The scope and resolution:

- Do not include a total budget
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- Do not provide line-item costs by task
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- Do not clearly allocate expenditures by funding source or legal purpose
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- Shares budgets across unrelated tasks (like infrastructure feasibility planning, and Chapter 80 monitoring)
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- Include a maximum budget for Harbor testing, but no minimum budget and no minimum levels of service
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- Requires future budget approvals for sampling and implementation, with the exception of beach sampling
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As drafted, the scope is insufficient to support contract execution. Finance cannot process a contract without specific line-item budget allocations. This lack of clarity is especially problematic given Chapter 80's defined legal intent and funding framework.

City-Collected Data is Undefined

Finally, both the scope and the resolution reference to “City-collected data” which is ambiguous and consequential. It suggests several possibilities:

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- The City may be expected to collect samples itself
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- Existing data may be reused
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- No new data collection may be required unless separately authorized
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Before approving this scope, the Commission should receive clear answers to the following:

- 1.
- 2.
3. What minimum level of actual sampling and monitoring
4. is contractually guaranteed under this scope, specifically for the Harbor and Outer Harbor?
- 5.
- 6.
- 7.
8. Which tasks are funded by Chapter 80 funds versus
9. other Water Quality fund?
- 10.
- 11.
- 12.
13. What does "City-collected data" mean in practice,
14. and who is responsible for collecting new samples, if any?
- 15.
- 16.
- 17.
18. Why is harbor monitoring deferred to a future implementation
19. decision rather than required in this contract?
- 20.
- 21.
- 22.
23. How does this scope interact with, supplement,
24. or potentially supersede existing WQPP efforts?
- 25.
- 26.

- 27.
28. If this is effectively a comprehensive water quality
29. planning effort, should it be presented, funded, and deliberated as such rather than as a Chapter 80 monitoring contract?
- 30.
- 31.
- 32.
33. What assurances exist that planning expenditures
34. will not displace funding needed for actual monitoring and enforcement?
- 35.