

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COMMISSION OF KEY WEST, FLORIDA, DIRECTING THE CITY ATTORNEY'S OFFICE TO ASSESS ALL LEGAL AND ADMINISTRATIVE OPTIONS TO PRESERVE THE RAINBOW CROSSWALKS ON DUVAL STREET IN LIGHT OF THE FLORIDA DEPARTMENT OF TRANSPORTATION'S JUNE 30, 2025 DIRECTIVE; AUTHORIZING OUTREACH TO OTHER MUNICIPALITIES; REQUESTING LEGAL OPINIONS ON EXCEPTIONS AND POTENTIAL REPRESENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 30, 2025, the Florida Department of Transportation (FDOT), through its Assistant Secretary, issued a directive instructing municipalities to remove non-standard crosswalk markings, like the rainbow crosswalks on Duval Street in the City of Key West; and

WHEREAS, the rainbow crosswalks are a significant cultural and symbolic fixture in the City of Key West, representing the City's long-standing commitment to inclusivity, diversity, and the philosophy of "One Human Family"; and

WHEREAS, Key West has long been a proud destination for LGBTQ+ travelers, with an internationally recognized reputation for inclusion, celebration, and community, and this sector contributes significantly to the city's economic vitality, generating millions

in tourism revenue annually through lodging, dining, retail, and cultural events;

WHEREAS, the removal of these crosswalks would send a damaging and misleading message to residents, visitors, and businesses, particularly those who identify with or support the LGBTQ+ community, contrary to the inclusive values held by the City; and

WHEREAS, the City Commission affirms that local communities such as Key West must retain the right to express their identity, values, and culture through reasonable and safe public design decisions, consistent with the principles of home rule and local self-governance under the Florida Constitution; and

WHEREAS, the FDOT directive references a possibility of exception or waiver upon a showing of "good cause," and the City Commission seeks to explore all legal and administrative avenues to preserve the rainbow crosswalks, whether by contesting the directive, negotiating for an exception, or otherwise lawfully maintaining the crosswalks in their current form;

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

Section 1. The City Commission formally expresses its deep concern and opposition to the FDOT directive requiring the removal

of the rainbow crosswalks on Duval Street, recognizing them as a vital expression of the City's identity and values.

Section 2. The City Attorney's Office is hereby directed to:

- Assign counsel to represent the City in responding to the FDOT directive;
- Initiate outreach to other Florida municipalities who may be similarly affected, to assess their responses and potential for collaboration;
- Conduct a legal assessment of all available options to preserve the rainbow crosswalks, including but not limited to litigation, administrative appeal, negotiated waiver, or statutory amendment;
- Provide legal guidance on the meaning and potential scope of "good cause" under FDOT's directive, including what documentation or arguments may support a formal request for exemption.

Section 3. The City Commission affirms its unwavering support for the continued presence of the rainbow crosswalks and directs staff to explore all reasonable options, legal or otherwise, for preserving them in their current location and form.

Section 4. The City Clerk is directed to transmit a copy of this resolution to the Florida Department of Transportation, the

Florida League of Cities, and any other relevant authorities or partners as deemed necessary by the City Manager or City Attorney.

Section 5. If any section, subsection, clause, or provision of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions.

Section 6. 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.

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Passed and adopted by the City Commission at a meeting held
this _____day of _____, 2025.

Authenticated by the Presiding Officer and Clerk of the
Commission on _____day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez _____

Vice Mayor Lissette Carey _____

Commissioner Aaron Castillo _____

Commissioner Monica Haskell _____

Commissioner Mary Lou Hoover _____

Commissioner Sam Kaufman

Commissioner Donald "Donnie" Lee

DANISE HENRIGUQUEZ

ATTEST:

KERI O'BRIEN, CITY CLERK