

RESOLUTION NO. 25-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING "AMENDMENT (1ST AMENDMENT) TO AGREEMENT" ID #3231 TO EXTEND THE TERMINATION DATE TO SEPTEMBER 30, 2026 FOR TOURIST DEVELOPMENT COUNCIL FUNDING OF THE SOUTHERNMOST PLAZA PHASE 2 (PUBLIC FACILITIES) PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution 24-161 the City of Key West accepted a Grant Award from the Tourist Development Council to assist with Phase 2 construction of improvements at the Southernmost Point buoy and the block of Whitehead Street up to United Street (Agreement ID #3231); and

WHEREAS, City staff recommends approving the attached Amendment to Agreement ID #3231, which grants a no-cost time extension for the project and makes the termination date of both Phase 1 and Phase 2 of the Southernmost Plaza grants the same; and

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

Section 1: That the attached "Amendment (1st Amendment) to Agreement" (ID #3231), to extend the termination date for the Southernmost Plaza Phase 2 (Public Facilities) project to September 30, 2026, is hereby approved.

Section 2: That no cost adjustments are associated with this time extension.

Section 3: That the City Manager is authorized to execute any necessary documents, upon consent 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.

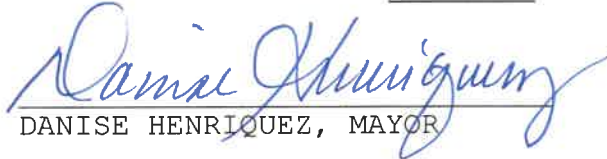
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Passed and adopted by the City Commission at a meeting held
this 6th day of August, 2025.

Authenticated by the Presiding Officer and Clerk of the
Commission on the 6th day of August, 2025.

Filed with the Clerk on August 6, 2025.

Mayor Danise Henriquez	<u>Yes</u>
Vice Mayor Lissette Carey	<u>Yes</u>
Commissioner Aaron Castillo	<u>Yes</u>
Commissioner Monica Haskell	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Absent</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Donald "Donie" Lee	<u>Yes</u>



DANISE HENRIQUEZ, MAYOR

ATTEST:



KERI O'BRIEN, CITY CLERK



MEMORANDUM

Date: August 6, 2025

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso
City Manager

From: Christina Bervaldi
Finance Director

Subject: **File ID 25-4178 Approving the attached 1st Amendment to Agreement ID #3231**

Introduction

The City Manager's Office recommends the City Commission approve the attached "Amendment (1st Amendment) to Agreement" ID #3231 to extend the termination date to September 30, 2026 for Tourist Development Council funding of the Southernmost Plaza Phase 2 (Public Facilities) Project; authorizing the City Manager to execute necessary documents upon advice and consent of the City Attorney.

Background

Grant funding in the amount of up to \$1,501,302.00 to assist with improving and enhancing the area near the Southernmost Point buoy and the block of Whitehead Street up to United Street (Phase 2) is available through an agreement with the TDC (Resolution 24-161, August 8, 2024). The current grant termination date of the agreement is December 31, 2025. The time extension to September 30, 2026 in this 1st Amendment will make the termination date of both Phase 1 and Phase 2 the same.

Procurement

This is a no-cost time extension.

Recommendation

The City Manager's Office recommends the City Commission approve the attached "Amendment (1st Amendment) to Agreement" ID #3231 to extend the termination date to September 30, 2026.



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

April 7, 2025

Monroe County Tourist Development Council
District I Advisory Committee
1201 White Street, Suite 102
Key West, FL 33040

RE: Key West Southernmost Plaza (Public Facility)
Contract ID# 3231; \$1,501,302 in capital funding
Request for 9-month time extension to grant award agreement

Dear District I Advisory Committee:

The City of Key West respectfully requests a 9-month time extension to September 30, 2026, to the Grant Agreement Period for the Key West Southernmost Plaza Phase 2 (Public Facilities) Project to be concurrent with the Southernmost Plaza Phase 1 (Public Facilities) Project ID #2985. The City is requesting to roll Segment 1 amount of \$1,501,302.00 into FY 2026.

With County Attorney approval obtained in February 2024, one Tourism Impact Study encompassing both Phase 1 and Phase 2 of this project was performed. The Study was completed in September 2024.

Similar to the Phase 1 Project, design, which includes both South Street ID #2985 and Whitehead Street ID #3231 as described in both respective Grant Award Agreements, is approximately 95% complete. The project is on track to be advertised for bidding by the end of April with a bid award at the City Commission's June meeting. The scope of the project includes a two-way roadway project in which, elevated pavement/sidewalk materials selection, drainage design, utilities coordination, landscape and hardscape design, plant uplighting, and signage. Additional communication with the stakeholders in the project area revealed the preference for a two-way roadway traffic instead of one-way traffic to accommodate all residents and neighboring businesses as originally proposed during the capital funding application process resulting in a change to the design work already completed. Construction is anticipated by September 2025 with an approximate 10 to 12-month construction period.

Your continued support and patience are much appreciated. Thank you for considering this request for a time extension. If you have any questions, please contact me Keith Bring at 305-809-3866 or Carolyn Sheldon at (305) 809-3741 or via email keith.bring@cityofkeywest-fl.gov or csheldon@cityofkeywest-fl.gov.

Sincerely,

Keith Bring

Keith Bring



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

DATE: September 8, 2025

TO: Ammie Machan, Administrative Assistant
Tourist Development Council

FROM: Liz Yongue, Deputy Clerk

SUBJECT: August 20, 2025 BOCC Meeting

The following items have been executed and added to the record:

D9 2nd Amendment to Agreement with City of Key West for the Southernmost Plaza Phase I (Public Facility) Project to extend the completion date of the project to September 30, 2026.

D10 1st Amendment to Agreement with City of Key West for the Southernmost Plaza Phase II Project to extend the completion date to September 30, 2026.

Should you have any questions please feel free to contact me at (305) 292-3550.

cc: County Attorney
Finance
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040

MARATHON
3117 Overseas Highway
Marathon, Florida 33050

PLANTATION KEY
88770 Overseas Highway
Plantation Key, Florida 33070

AMENDMENT (1st AMENDMENT) TO AGREEMENT

THIS AMENDMENT to Agreement dated this 20th day of August 2025, is entered into by and between the Board of County Commissioners for Monroe County, on behalf of the Tourist Development Council, and **The City of Key West** a Government agency organized and operating under the laws of the state of Florida (Grantee).

WHEREAS, there was an Agreement entered into on September 11, 2024 between the parties, awarding \$1,501,302 to Grantee for the **City of Key West Southernmost Plaza Phase II (Public Facilities) Project ("Agreement")**; and

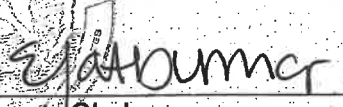
WHEREAS, it has become necessary to revise the termination date of the project to September 30, 2026 to allow for completion of the construction of the project, and

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree to the amend Agreement as follows:

1. Paragraph 1 of the agreement shall be revised to read as follows: This Agreement is for the period of **October 1, 2024 to September 30, 2026**. This Agreement shall remain in effect for the stated period unless one party gives to the other written notification of termination pursuant to and in compliance with paragraphs 7, 12 or 13 of the original Agreement dated September 11, 2024.
2. Any references to the termination date and submission of invoices shall be revised to read **September 30, 2026**.
3. Reimbursement for this project may not be submitted until after **October 1, 2025**.
4. The remaining provisions of the Agreement dated September 11, 2024 shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties have set their hands and seal on the day and year first above written.

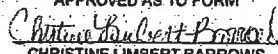
(SEAL)
Attest: Kevin Madok, Clerk

As Deputy Clerk



Board of County Commissioners
of Monroe County


Mayor/Chairman

The City of Key West

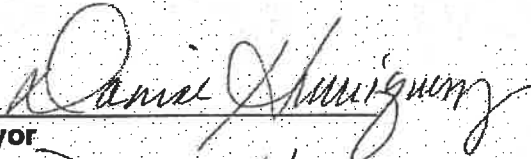
Attest:

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

CHRISTINE LIMBERT-BARROWS
SR. ASSISTANT COUNTY ATTORNEY
DATE: 8/15/25


By 
City Clerk
DANIEL HENNING
Print Name

Date:

8/6/2025

By 
Mayor
DANISE HENRIQUEZ
Print Name

Date:

8/6/2025

Reviewed for legal sufficiency: KH

FILED FOR RECORD
2025 SEP -8 PM 3: 02
CLK. GIB. ST.
MONROE COUNTY, FLA.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/16/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER World Risk Management 20 N. Orange Ave., Suite 500 Orlando FL 32801	CONTACT NAME: Jenna Jennings	
	PHONE (A/C No, Ext): 4074452414	FAX (A/C, No): 407-445-2868
E-MAIL ADDRESS: jenna.jennings@wrmlc.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Public Risk Management of FL (11111
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED City of Key West KEYWEST-01
 1300 White Street
 Key West FL 33040

COVERAGES **CERTIFICATE NUMBER:** 674904362 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		PRM024-011A-073	10/1/2024	10/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ SELF INS. RETENTION \$ 100,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> APD		PRM024-011A-073	10/1/2024	10/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ SELF INS. RETENTION \$ 25,000
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	PRM024-011A-073	10/1/2024	10/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER SIR \$325,000 E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Southernmost Plaza Phase 2 #3231
 Construct improvements on Whitehead Street up to the intersection of South Street with Whitehead Street near the Southernmost Point
 With respects to the listed coverage held by the named insured, as evidence of insurance.

APPROVED BY RISK MANAGEMENT
 BY J. Heald
 DATE 1.17.25
 WAIVER N/A YES

CERTIFICATE HOLDER Monroe County Board of County Commissioners c/o Risk Management & Monroe County TDC 1100 Simonton Street Key West FL 33040	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <u>A. Coov</u>
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