

IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT  
IN AND FOR MONROE COUNTY, FLORIDA

FINAL REPORT OF THE MONROE COUNTY GRAND JURY  
WINTER TERM 2026

MEMBERS OF THE WINTER TERM 2026 GRAND JURY

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## **I. INTRODUCTION**

Over the last six months, this grand jury panel continued, as the last grand jury panel did, to review particular workings of departments within the City of Key West. Coupled with the return of Indictments against the former CBO Rajindhar Ramsingh and local contractors Max Heller and George Beys for their fraudulent acts in connection with specific building permitting, we also examined the current structure of the City of Key West, the procedures and practices related to the Planning Board, the Building Department, the Planning Department, and Code Enforcement.

Over the course of the various meetings, witnesses were questioned to gather information, policy language, processes surrounding permitting, building, and code inspections, the variance application process as well as understanding the working relations between the various departments. We also sought to understand details of state and local rules and regulations.

The Grand Jury thoroughly reviewed building permit applications, variance applications, site plans, memos, property appraisal records, staffing reports, photographs, and aerial maps to enhance our understanding of the Building permit process, the Planning Department's role and process, and, in a more focused review, the variance application process and the Planning Board's procedures.

## **II. OUR ASSESSMENT**

Based upon the accumulation of the facts gathered through our sessions, it is apparent that, although the City of Key West has made changes in response to the previous issues raised by the last grand jury panel, there are additional areas of concern that need to be addressed. The first is the City of Key West's

current organizational structure/organizational chart. The second is the state of the existing planning and building regulations and building and land development codes. The third is the current workings and procedures of the Planning Board and the variance application process.

#### Current Organizational Structure

From the testimony and information gathered, the current organizational chart, specifically the layers of management and reporting lines, has created operational bottlenecks and ambiguity in decision-making, hindering efficient, quick decision-making, resolutions, and productivity. Understanding that the City of Key West has been in the process of making changes to its structure, the flux in responsibilities, overlap in management, and unclear roles continue to hinder the City's ability to improve efficiency and productivity. The specific aspects of the current organizational chart that are of concern are the multiple layers of management when taking into consideration the management/employee ratio.

As described by the various current and former city employees and a review of the current structure, the following question emerged; with the staff to management ratio that exists, does the City of Key West need as many managers/directors or stated more simply; are there too many layers of management for the limited number of employees? Having too many managers or layers increases time for decision-making/approval processes, raises management costs, creates a lack of transparency between employees and management, and can lead to reduced accountability due to the multiple management layers, which dilute responsibility and make it difficult to hold anyone accountable.

#### Existing Planning/Building Regulations and Land Development Codes

Understanding that the authority to enact amendments to building and land development codes is limited to the City Commission and review and approval of

the State Department of Commerce, there is still a need for a comprehensive review of the current regulations and codes. Based on the information received, the various regulations and land development codes, which have been amended over the years, are not easily understood due to inconsistencies, contradictions, and overly confusing language. For example, in one section of the code, it will describe restrictions such as for a fence and its placement, but in another section read as though the placement of the fence, contrary to the other section, is permitted. Unclear, ambiguous language leads not only to delays but also to increased costs to residents attempting to comply with planning and building requirements. City of Key West residents should not be compelled to retain costly land development professionals simply to navigate a process that ought to be accessible, transparent, and within the grasp of the very people it is meant to serve.

#### The Building Department, the Planning Board & Variances

As it stands, there are no particular qualifications for one to be appointed to serve on the City of Key West's Planning Board. This is not a criticism of the current or past members but a mere observation. With such an important position tasked with making critical decisions that have significant impacts on individual and community growth, it would seem reasonable and prudent that there be some type of base knowledge.

Planning Board members must interpret legal, environmental and developmental frameworks to ensure community growth aligns with established regulations. The members should have an understanding of land development and community issues but this is not to say that the board should be limited to experts or professionals, but rather strive for diverse perspectives that would allow for more community-reflective decisions. A well-constituted board should include non-professional and professional residents, which would ensure decisions are not only technically sound but also representative of the community values and align with the public good.

We also looked at the variance application process and procedures followed by the planning board. In one particular case, it was discovered that despite the current Verification Forms that require the applicant to attest that the plans, drawings, and materials being provided for consideration are true and accurate, this was not the case, and this was only discovered after a review of the Planning Department staff that was tasked with reviewing the variance application. What should have been an easy decision by the Planning Board, to remove the application for consideration for failure to provide the accurate documentation and postpone for a future date (as was requested by staff), was not followed, and a discussion commenced over the staff's objection.

The applicant was permitted to proceed with a presentation before the Planning Board based on plans that were ultimately revealed to be inaccurate and incomplete. This placed staff in the untenable position of attempting to respond to and evaluate an application without the benefit of reliable or comprehensive information. Although the matter was eventually continued to a future date, that decision came only after a substantial portion of the meeting had already been consumed—time that would have otherwise been devoted to properly vetted agenda items.

This sequence of events raises a fundamental concern: if the application materials were known to be deficient, why was the item advanced to the agenda at all? The absence of complete and accurate documentation undermines the integrity of the review process and compromises the ability of both staff and the Board to engage in meaningful, informed deliberation. Under such circumstances, there appears to have been no justifiable basis for initiating discussion, let alone entertaining potential action, on an application that was not yet in a condition suitable for review.

The Planning Board often makes irreversible decisions on land-use, development, and zoning. These decisions shape the community's long-term

safety, economic vitality, and character. Although for the most part the processes followed by the Planning Board are sound, a review of its make-up and some of the procedures reveals a few areas that, if modified or implemented, could improve overall efficiency and improve the board's fairness, objectivity, and build community trust.

### **III. RECOMMENDATIONS**

We make the following recommendations and request that they be added to the next City Commission agenda for discussion and public comment on adopting and implementing the proposed recommendations.

#### **REORGANIZATION COMMITTEE**

1. We propose that the City of Key West form a committee composed of five (5) residents of the City of Key West of varied backgrounds, charged with the task of studying no fewer than three towns/cities within the United States that are comparable to the City of Key West. Key similarities ought to include population, cost of living, and economic activity relative to the rest of the state.

The committee will study the organizational structure of comparable cities and form a recommendation for the reorganization of the City of Key West organizational chart. The current City of Key West manpower shall then be compared to the staffing of several like communities for the purpose of making recommendations.

Most importantly, the committee will be tasked with studying the City of Key West's existing staffing, including all city departments and appointed positions. The responsibilities and workload of each department's management and staff positions should be identified and reviewed with a focus on the potential for consolidation to improve not only work but also fiscal efficiency. Any department that exceeds 125% of the report findings should be required to justify to top city management the current staffing levels based upon unique local conditions and requirements. If no strong

justification exists, staffing shall be further reviewed to reduce staffing to a more appropriate level.

All draft recommendations shall be presented in an open, public forum, and input from stakeholders and citizens shall be solicited. A final re-organizational structure recommendation shall be made within 6 months of the formation of the committee and presented to the City Commission at a public hearing, with citizen comments permitted.

The committee shall consist of five (5) members and can include, but is not required to have, no more than three (3) current city employees, excluding directors, department heads, the City Manager, and the City Attorney.

#### **REGULATION REVIEW COMMITTEE**

2. We propose that the City of Key West form a committee composed of seven (7) City of Key West residents, charged with the task of reviewing all building and planning regulations and land development codes.

This committee will be tasked with reviewing the current building and planning regulations and codes with a focus on identifying gaps, inconsistencies, unnecessary redundancies, strengths, and opportunities for improvements. The committee will thereafter provide recommendations that increase transparency, expand public participation, better protect public health, safety and welfare, are consistent with the City of Key West's Comprehensive Plan, and advance the goals and objectives of the State designated Area of Critical State Concerns.

This committee shall submit proposed modifications, such as re-wording, removal of, or clarification to the current plans and codes due to lack of clarity, contradiction, or lack of necessity.

All modifications approved by the committee shall then be reviewed by the City Attorney's office. The review by the City Attorney's office is limited to whether the proposed modification is in violation of any other regulation

or legal authority. After review by the City Attorney's office, the approved proposed modifications are to be enacted.

Within 60 days of the formation of the committee, a report to the City Manager shall be provided, indicating the reviews that have been done of the current building and planning regulations and land development codes, and any proposed modifications that have been submitted.

The committee shall consist of five (5) members who have experience in land use and development. The committee may be made up of both non-city employees and city employees, including a representative from the Planning Department, Building Department and must include no less than two (2) non-city employees.

#### **BUILDING DEPARTMENT, THE PLANNING BOARD & VARIANCES**

3. Members of the Planning Board should be City of Key West residents for at least one year and also be clear of conflicts (i.e. not be an active contractor, developer, or affiliated with any such working in the City of Key West).

All members within 60 days of appointment shall complete an Ethics training course and Conflict of Interest course

All members shall complete a minimum of two (2) hours of relevant training, such as any training provided by The American Institute of Certified Planners and the American Planning Association, within three (3) months from the date of initial appointment to the Planning Board and one (1) hour of relevant training in each subsequent year of membership.

4. Ex parte communications are prohibited with respect to the merits of any case between any party to a proceeding and any member of the Planning Board.

If a member of the Planning Board receives an ex parte communication concerning the merits of an application, the member of the Board must promptly disclose the communication and place it on the record of the

proceeding, with any party wishing to rebut the ex parte communication given the opportunity to do so.

5. Variance Applications – It is recommended that, before any variance application is placed upon the agenda, there must be confirmation from the Planning Department that all requested documents have been received to allow a review and recommendation.

If a postponement is requested by either party to the application, when the matter is called, there is to be no discussion on the merits of the application by the Board or either party unless the request for the postponement is withdrawn.

6. Planning Department Verification Forms – To prevent owners/builders from misrepresenting or not providing an accurate representation of what is sought to be built and approved, it is recommended that the current Verification Forms be modified to include a notarization requirement and also give notice that a false statement may be subject to criminal penalties as provided in Fl. Stat. 837.06, False Official Statement. It is further recommended that monetary penalties or some type of penalty, such as a waiting period for re-application, be assessed for the submission of inaccurate, false, or misleading documents, such as surveys, site plans, elevation plans, floor plans, stormwater management plans.
7. Variance Data – To assist Building and Code with inspections of properties that have been provided a variance, it is recommended that the approved variance data be printed on the permit so it can be visible on site.

#### **IV. CLOSING**

The Grand Jury's review confirms that while the City of Key West has made efforts to address previously identified concerns, several structural, procedural, and regulatory challenges persist. These challenges undermine transparency, efficiency, accountability, and public trust.

The recommendations set forth in this report are intended to provide constructive, practical, and achievable steps toward improving city government, strengthening oversight, and ensuring that planning and development decisions are made in a manner that is fair, consistent, and aligned with the long-term

interests of the community. Implementing these recommendations will not only improve operational effectiveness and fiscal responsibility but also restore confidence in processes that directly impact residents, property owners, and the character of the City of Key West.

Ultimately, clear regulations, a streamlined organizational structure, qualified and well-trained decision-makers, and transparent procedures are essential to protecting the public welfare and preserving the unique character of the City of Key West. The Grand Jury respectfully submits this report and urges the City Commission to give due consideration to these findings and recommendations in the spirit of accountability, good governance, and service to the public.

SO SAY WE ALL

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Foreperson