RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RECOMMENDING TO THE ART IN PUBLIC PLACES ("AIPP") BOARD, FOR ITS CONSIDERATION, THE USE OF AIPP FUNDS, IN AN AMOUNT NOT TO EXCEED $25,000.00, TO BE CONTRIBUTED TOWARD A PUBLIC ART INSTALLATION TO BE PLACED AT 801 DUVAL STREET CELEBRATING KEY WEST'S LGBTQ+ HISTORY AND CULTURE; DIRECTING THE CITY MANAGER TO TRANSMIT THIS RECOMMENDATION TO THE AIPP BOARD FOR ITS CONSIDERATION; PROVIDING THAT THE CONTRIBUTION AND THE ARTWORK SHALL COMPLY WITH ALL APPLICABLE LAW; PROVIDING THAT THE ARTWORK SHALL COMPLY WITH ALL CITY PROCESSES AND PROCEDURES FOR APPROVAL; PROVIDING THAT, FOLLOWING RECEIPT OF THE DONATION, THE CITY SHALL NOT BE RESPONSIBLE FOR THE ALLOCATION OF ANY FUNDS FOR THE MAINTENANCE, REPAIR, OR OTHER UPKEEP OF THE ARTWORK ON OR AFTER JANUARY 1, 2027; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key West established its Art in Public Places ("AIPP") Board and program by ordinance to advise the City Commission in the selection, location, and commissioning of public art that enhances the character, identity, cultural heritage, and diversity of the City of Key West, and the AIPP Board is charged with the review and approval of the use of AIPP funds; and

WHEREAS, Duval Street between the 700 and 900 blocks is widely recognized as the historic and cultural center of Key West's LGBTQ+ community and is a location at which exterior artwork would be visible and appreciable to the Key West community including visitors; and

WHEREAS, a public art installation is proposed to be placed at 801 Duval Street to celebrate and commemorate the history and culture of Key West's LGBTQ+ community, its contributions to the

identity and economy of the island, and its ongoing role in thelife of the City; and

WHEREAS, the City Commission has considered this matter and desires to formally express its support for, and recommend to the AIPP Board, for the AIPP Board's own consideration and action, the utilization of AIPP funds in an amount not to exceed Twenty-Five Thousand Dollars ($25,000.00) to be contributed toward the design, fabrication, and/or installation of the artwork described herein; and

WHEREAS, this Resolution constitutes the City Commission's recommendation only, and the ultimate use of AIPP funds for this purpose remains subject to the AIPP Board's independent consideration, review, and approval in accordance with the AIPP program's governing ordinance, policies, and procedures; and

WHEREAS, the Florida Legislature has enacted Senate Bill 1134 (2026), which takes effect January 1, 2027, and which, among other things, restricts the use of local government funds in connection with certain programming; and the City Commission finds it necessary and appropriate to make clear that, following the City's donation of AIPP funds toward the artwork, the City shall bear no continuing financial or maintenance obligation with respect to the artwork on or after that date; and

WHEREAS, the City Commission finds that this Resolution serves a valid public purpose and is in the best interest of the

health, safety, and welfare of the citizens and visitors of the City of Key West.

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

Section 1. The foregoing recitals are true and correct and are hereby incorporated into this Resolution by reference.

Section 2. The City Commission hereby recommends to the AIPP Board, for the AIPP Board's consideration, that AIPP funds, in an amount not to exceed $25,000.00, be utilized and contributed toward a public art installation to be placed at 801 Duval Street celebrating Key West's LGBTQ+ history and culture.

Section 3. The City Manager is hereby directed to transmit this Resolution, and the City Commission's recommendation set forth herein, to the AIPP Board for its consideration and action at the next available regular or special meeting of the AIPP Board.

Section 4. Should the AIPP Board approve the use of AIPP funds as recommended herein, the resulting contribution and the artwork funded thereby shall at all times comply with all applicable federal, state, and local law.

Section 5. The artwork shall remain subject to, and shall comply with, all applicable City of Key West processes and procedures for review and approval, including, without limitation, final review and approval by any board, committee, or

department with jurisdiction over the design, siting, and installation of public art within the City.

Section 6. Should the AIPP Board approve the use of AIPP funds as recommended herein, upon receipt of the resulting contribution the City of Key West shall have no further obligation, and shall not allocate any City funds, for the maintenance, repair, or other upkeep of the artwork on or after January 1, 2027. Any and all responsibility for the maintenance, repair, and upkeep of the artwork on or after that date shall rest with the owner(s) and/or sponsoring organization(s) of the artwork, and not with the City.

Section 7. 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 _____, 2026.

Authenticated by the Presiding Officer and Clerk of the Commission on _____day of _____, 2026.

Filed with the Clerk on _____, 2026.

Mayor Sam Kaufman	_____
Vice Mayor Donald “Donie” Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Christopher Massicotte	_____
Commissioner Mark Rossi	_____

_____
SAM KAUFMAN, MAYOR

ATTEST:

_____
_ KERI O’BRIEN, CITY CLERK