

## Keri O'Brien

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**From:** Cheri Smith  
**Sent:** Tuesday, May 4, 2021 11:48 AM  
**To:** Keri O'Brien  
**Subject:** FW: Opposition to Mallory Agreement

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**From:** Arlo Haskell <arlohaskell@gmail.com>  
**Sent:** Tuesday, May 4, 2021 11:45 AM  
**To:** Billy Wardlow <bwardlow@cityofkeywest-fl.gov>; Cheri Smith <csmith@cityofkeywest-fl.gov>; Clayton Lopez <clopez@cityofkeywest-fl.gov>; Gregory Davila <gdavila@cityofkeywest-fl.gov>; Jimmy Weekley <jweekley@cityofkeywest-fl.gov>; Mary Lou Hoover <mlhoover@cityofkeywest-fl.gov>; Samuel Kaufman <skaufman@cityofkeywest-fl.gov>; Teri Johnston <tjohnston@cityofkeywest-fl.gov>  
**Cc:** Patti McLauchlin <pmclauchlin@cityofkeywest-fl.gov>; Filosa, Gwendolyn <gfilosa@flkeysnews.com>; Tim O'Hara <tohara@keysnews.com>; Mandy Miles <mandy@keysweekly.com>  
**Subject:** Opposition to Mallory Agreement

Mayor and Commissioners:

We continue to oppose the Mallory/T-Pier Agreement with the State of Florida. This agreement continues to be used as a cudgel by state lawmakers against our lawful efforts to exercise local control over our port. Rep Spencer Roach focused extensively on the Mallory agreement in his closing remarks to the House of Representatives, which passed an amended bill last week that would void our recent referendums. [In an op-ed for the Orlando Sentinel published just this morning](#), Rep Randy Fine repeated the argument that state funding of Mallory justifies a state takeover of the Port of Key West. I can assure you that these same arguments are being made to Governor DeSantis by those urging him to sign this bill.

We urge you to table this agreement until and unless the state confirms in writing that the funding does not depend on accepting large cruise ships at Mallory.



Regards,

Arlo Haskell  
*on behalf of*

**Key West Committee for Safer, Cleaner Ships**

Evan Haskell, President

Jolly Benson, Vice President

Arlo Haskell, Treasurer

David Dunn, Secretary

Capt. Will Benson, Member-at-large

----- Forwarded message -----

From: **Arlo Haskell** <[arlohaskell@gmail.com](mailto:arlohaskell@gmail.com)>

Date: Tue, Mar 16, 2021 at 12:53 PM

Subject: Opposition to Item #12 – Mallory T-Pier Amendment

To: Billy Wardlow <[bwardlow@cityofkeywest-fl.gov](mailto:bwardlow@cityofkeywest-fl.gov)>, Cheri Smith <[csmith@cityofkeywest-fl.gov](mailto:csmith@cityofkeywest-fl.gov)>, Clayton Lopez <[clopez@cityofkeywest-fl.gov](mailto:clopez@cityofkeywest-fl.gov)>, Greg Davila <[gdavila@cityofkeywest-fl.gov](mailto:gdavila@cityofkeywest-fl.gov)>, Jimmy Weekley <[jweekley@cityofkeywest-fl.gov](mailto:jweekley@cityofkeywest-fl.gov)>, Mary Lou Hoover <[mlhoover@cityofkeywest-fl.gov](mailto:mlhoover@cityofkeywest-fl.gov)>, Samuel Kaufman <[skaufman@cityofkeywest-fl.gov](mailto:skaufman@cityofkeywest-fl.gov)>, Teri Johnston <[tjohnston@cityofkeywest-fl.gov](mailto:tjohnston@cityofkeywest-fl.gov)>

Cc: Greg Veliz <[gveliz@cityofkeywest-fl.gov](mailto:gveliz@cityofkeywest-fl.gov)>, <[sdsmith@cityofkeywest-fl.gov](mailto:sdsmith@cityofkeywest-fl.gov)>, Filosa, Gwendolyn <[gfilosa@flkeysnews.com](mailto:gfilosa@flkeysnews.com)>, prusowers <[prusowers@gmail.com](mailto:prusowers@gmail.com)>, Tim O'Hara <[tohara@keysnews.com](mailto:tohara@keysnews.com)>, Nancy Klingener <[nklingener@wlrnnews.org](mailto:nklingener@wlrnnews.org)>, Chris Seymour <[cseymour@keysnews.com](mailto:cseymour@keysnews.com)>, Mandy Miles <[mandy@keysweekly.com](mailto:mandy@keysweekly.com)>, Blue Paper <[bluepapermailbox@gmail.com](mailto:bluepapermailbox@gmail.com)>

Mayor & Commissioners:

We are opposed to executing the Mallory/T-Pier Agreement with the State of Florida at this time (Item #12 on tonight's agenda). We request postponement of this item until (a.) City staff receive written clarification from the State that the City is still eligible for funding in light of recent amendments to the City Charter; or (b) after the end of the legislative session on May 1.

The history of the T-Pier project clearly demonstrates that the intention was to accommodate more and larger cruise ships. Compliance with our charter now requires the exact opposite: fewer and smaller cruise ships.

Our concern is this: **If the City accepts State funding for a project that can no longer be lawfully achieved as described in the grant application, it risks having to repay those funds upon audit by the State.** We urge the City to seek official clarification in writing from FSTED that the City is still eligible for the granted funds, given the potential impact of the amended Charter on cruise ship operations.

We are also gravely concerned that **Key West's pending acceptance of this agreement is being weaponized by legislators and lobbyists who are seeking to overturn Key West's cruise ship limits.** In a House Subcommittee meeting on March 3, Rep. Spencer Roach, the sponsor of House Bill 267, argued that taxpayer funding at Mallory Square means the port belongs to all Florida residents, and therefore should not be governed by Key West's elected officials (see transcript below). Behind closed doors, their lobbyists argue, "If they take the money, they should take the large cruise ships."

**Approving the T-Pier item tonight, absent clarification from the State that the project is still eligible, will handicap our efforts to oppose the preemption bills pending in the Florida legislature.**

Please postpone tonight's item and direct staff to seek written confirmation from the State that the T-Pier project remains eligible for funding given that it will be used for smaller and fewer cruise ships, not larger and more cruise ships as originally described.

Additional information follows for your consideration:

*History of the FSTED grant:*

- The amendment to be voted on tonight includes an illustration of Mallory with what appears to be a **large cruise ship that does not comply with the City Charter.**
- The original application for the FSTED grant includes projections by the City that the upgrades will support an **increase in annual cruise ship calls from 338 to 363.**
- Former City Manager Jim Scholl reported the original purpose and justification for the project to the Commission as "to safely **accommodate larger vessels** and passenger related operations."

*Representative Spencer Roach to the House Tourism Subcommittee, 3/3/21*

"So I would urge you to, to, to be up on this bill, not to mention, not to mention that every single member of this committee in every single constituents that you represent has paid **taxpayer dollars to support and fund infrastructure projects in the Key West, under the Florida Seaport Transportation Economic Development Council, which has invested \$1.9 million of taxpayer money into a five-year renovation program in Mallory square.** This is year three of that program. So the city of Key West is not operating this port for wealthy landowners in Key West, who don't want to see cruise ship riff raff on their ports. **They're operating that port for the benefit of all citizens of that city, all citizens of that County and all residents of the state of Florida."**

Thank you for your attention to this important item.

Sincerely,

Arlo Haskell

*on behalf of*

**Key West Committee for Safer, Cleaner Ships**

Evan Haskell, President

Jolly Benson, Vice President

Arlo Haskell, Treasurer

David Dunn, Secretary

Capt. Will Benson, Member-at-large