

ORDINANCE NO. 21-15

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 7.03 OF THE CITY CHARTER, TO CALL FOR A REFERENDUM FOR THE AUTHORITY TO LEASE REAL PROPERTY OF APPROXIMATELY 3.2 ACRES LOCATED AT THE TRUMAN WATERFRONT AND OWNED BY THE NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY OF THE CITY OF KEY WEST ("LRA"), SUCH LEASE FOR A DURATION OF UP TO 99 YEARS, THEREBY EXCEEDING THE CHARTER LIMIT OF 20 YEARS, EXCLUSIVELY FOR AFFORDABLE WORKFORCE HOUSING, THE FINAL TERMS OF WHICH MUST BE APPROVED BY THE LRA; AUTHORIZING THE CITY CLERK TO TAKE ALL NECESSARY ACTION TO PLACE THIS MEASURE ON THE BALLOT FOR JANUARY 18, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Charter Section 7.03 requires referendum for a lease conveyance of LRA-owned property for a term in excess of 20 years; and

WHEREAS, Florida Statutes Section 101.161 provides procedures for a referendum; and

WHEREAS, in 2002, the United States Navy conveyed to the LRA a property of approximately 33 acres known as the Truman Waterfront; and

WHEREAS, approximately 3.2 acres of the original 33 is set aside for affordable workforce housing; and

WHEREAS, the Key West City Commission and the LRA wish to facilitate affordable workforce housing by offering a long-term lease - up to 99 years - at the Truman Waterfront, recognizing the costs of operation and the difficulty in obtaining lending packages for a 20-year land lease; and

WHEREAS, the City Commission and LRA understand that referendum approval may be followed by the consideration and approval of a particular lease(s).

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

Section 1: That the City Commission finds that the best use of the subject property would be achieved by a lease conveyance up to 99 years for use exclusively as affordable workforce housing.

Section 2: That a referendum for the anticipated lease of certain real property owned by the Naval Properties Local Redevelopment Authority and located at the Truman Waterfront shall be held on January 18, 2022.

Section 3: That the question appearing on the ballot shall be titled: "Referendum - Authorization to Lease Real Property up to 99 Years exclusively for affordable workforce housing?"

Section 4: That the ballot question shall be worded as follows:

"Shall the Naval Properties Local Redevelopment Authority of the City of Key West ("LRA") be authorized to lease real property of approximately 3.2 acres at the Truman Waterfront, for a period of up to 99 years, exclusively for affordable workforce housing?"

\_\_\_\_\_ Yes \_\_\_\_\_ No

Section 5: That the City Clerk is hereby authorized and directed to take all necessary and proper action to place this question on the ballot of January 18, 2022.

Section 6: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 7: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 8: This Ordinance 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.

Read and passed on first reading at a regular meeting held this 14th day of September, 2021.

Read and passed on final reading at a regular meeting held this 5th day of October, 2021.


Authenticated by the presiding officer and Clerk of the Commission on 6th day of October, 2021.

Filed with the Clerk October 6, 2021.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

  
TERI JOHNSTON, MAYOR

ATTEST:

  
CHERYL SMITH, CITY CLERK