

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RESCINDING RESOLUTION 17-216; APPROVING THE ATTACHED AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO), THE COUNTY OF MONROE, CITY OF KEY WEST, ISLAMORADA, VILLAGE OF ISLANDS, CITY OF LAYTON, AND THE CITY OF MARATHON FOR THE TRANSFER AND DISTRIBUTION OF BPAS UNITS FROM THE CITY OF KEY WEST TO MONROE COUNTY AND THE TRANSFER AND DISTRIBUTION OF ROGO ALLOCATIONS FROM MONROE COUNTY TO ISLAMORADA, VILLAGE OF ISLANDS, CITY OF LAYTON, AND THE CITY OF MARATHON, PURSUANT TO SECTION 380.032(3), FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 15, 2017, the City Commission approved Resolution 17-216, which approved a negotiated Agreement between the State of Florida DEO, Monroe County, Islamorada, Layton, Key Colony Beach and Marathon for the allocation of BPAS units, pursuant to Section 380.032(3); and

WHEREAS, without explanation or advanced notice to the other parties to the Agreement, the City Commission of the City of Key Colony Beach declined to approve the Agreement, making it necessary to rescind said agreement, and approve a new agreement, attached hereto, upon similar terms, omitting reference to ROGO allocations for the City of Key Colony Beach; and

WHEREAS, the City of Key West ("Key West") adopted its Comprehensive Land Use Plan on March 5, 2013, which provides for the

allocation of certain residential building rights known as Building Permit Allocation System units ("BPAS"), under which Key West awards 91 units on an annual basis over the current planning horizon consisting of the years 2013 through 2023; and

WHEREAS, Key West has a certain number of unallocated BPAS units accumulated in years one (1) through four (4) which the City desires to allocate to an Affordable Housing/Workforce Housing project ("The Quarry") located on Big Coppitt Key, which is beyond the jurisdictional boundary limits of Key West; and

WHEREAS, Key West has adopted simultaneously herewith a Comprehensive Land Use Plan Amendment which has been approved by the DEO, which allows the transfer of 104 BPAS units to Monroe County for the Workforce Housing/Affordable Housing Project known as "The Quarry," located on Big Coppitt Land Use Area 1 at approximate Mile Marker 9; and

WHEREAS, the Parties have met to discuss the reallocation and a method of BPAS/ROGO re-distributions between Monroe County and the other municipalities located in the Areas of Critical State Concern (ACSCs); and

WHEREAS, the provision of work force housing in the Lower Keys, coupled with the distribution of ROGO units to the remaining municipalities, will benefit all members of the ACSCs;

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

Section 1: That Resolution 17-216 is hereby rescinded.

Section 2: That the attached "Agreement Between The State of Florida Department of Economic Opportunity, The County of Monroe, City of Key West, Islamorada, Village of Islands, City of Layton and the City of Marathon for the Transfer and Distribution of BPAS Units from the City of Key West to Monroe County and the Transfer and Distribution of ROGO Allocations from Monroe County to Islamorada, Village of Islands, City of Layton and the City of Marathon, Pursuant to Section 380.032(3), Florida Statutes" is hereby approved.

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.

Passed and adopted by the City Commission at a meeting held this  
\_\_\_\_\_ day of \_\_\_\_\_, 2017.

Authenticated by the Presiding Officer and Clerk of the Commission  
on \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Filed with the Clerk on \_\_\_\_\_, 2017.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK