

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING PHASED COMPLIANCE WITH FLORIDA SB 1086, WHICH REQUIRES THE IMPLEMENTATION OF 300 ADDITIONAL MOORINGS PRIOR TO ENFORCEMENT OF THE NEW REGULATIONS; RECOMMENDING THAT THE 90-DAY ANCHORING RESTRICTION NOT BE ENFORCED FOR VESSELS WITHOUT AN OPTION TO TIE TO AN AVAILABLE MOORING; AUTHORIZING THE CITY CLERK TO PROVIDE CERTIFIED COPIES OF THIS RESOLUTION TO MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, AND FLORIDA LEGISLATIVE DELEGATION MEMBERS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Florida Senate Bill 1086 includes a requirement for 300 additional moorings to be implemented prior to enforcement of certain new regulations that apply to vessels that are outside of managed mooring fields; and

WHEREAS, the City Commission in Resolution 21-241 urged FWC to perform a comprehensive study, as described in F.S. Section 327.4109(6), of the anchorage surrounding Key West to provide accurate data to inform and enable government agencies to address sufficient capacity for mooring fields to address the negative effects of derelict vessels in the vicinity of Key West; and

WHEREAS, the City Commission finds that the study described by F.S. Section 327.4109(6) would provide accurate information about the need for additional managed mooring areas; and

WHEREAS, the City Commission approved Resolution No. 21-065 opposing new legislative restrictions in the anchorage without the addition of sufficient moorings and stated "there are not sufficient moorings available in Key West or the Lower Keys to accommodate the number of vessels currently in the local area"; and

WHEREAS, moorings provide environmental stewardship, enhance boater safety and provide alternative "affordable" housing for some; and

WHEREAS, the City Commission finds that it would be prudent to undertake a phased approach, beginning with the procurement of 100 mooring balls in 2022, with the remaining 200 to be procured, permitted and constructed after completion of the study by FWC in cooperation with local governments; and

WHEREAS, anchoring and mooring studies conducted in the Florida Keys have shown that anchoring causes damage to benthic resources whereas mooring systems do not; the City finds that requiring vessels to be re-anchored every 90 days will cause increased damage to the marine habitat including protected seagrasses in the Florida Keys National Marine Sanctuary; and

WHEREAS, poorly anchored vessels are at risk of dragging anchor creating safety issues for the vessel, the boater and other vessels and boaters at anchor; and

WHEREAS, the City Commission finds that it would be prudent to limit enforcement of the 90-day anchoring law to only those vessels that have an option of tying to a currently available public mooring appropriate for the particular vessel.

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

Section 1: That the City Commission urges phased compliance with SB 1086, which requires that 300 additional moorings be permitted and implemented prior to enforcement of the 90-day anchoring restriction.

Section 2: The City Commission recommends a phased approach, beginning with the procurement, permitting and installation of 100 new moorings in 2022, with further installation to be determined after an assessment is made by FWC and local governments.

Section 3: The City Commission recommends that the 90-day anchoring restriction not be enforced against any vessel that does not have the immediate option of tying to an available public mooring adequate for the particular vessel.

Section 4: That the City Clerk is hereby authorized to transmit a certified copy of this Resolution to the Florida Fish and Wildlife Conservation Commission, Governor Ron DeSantis, FL Senator Ana Maria Rodriguez, FL Representative James "Jim" Mooney, and the Monroe County Board of County Commissioners.

Section 5: 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 _____, 2021.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2021.

Filed with the Clerk on _____, 2021.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK