

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RECOGNIZING THE TERMINATION THE PRECLEARANCE REQUIREMENT OF THE UNITED STATES JUSTICE DEPARTMENT IN SECTION 5 OF THE VOTING RIGHTS ACT; PROVIDING FOR A YEARLY ROTATION OF DISTRICTS TO WHICH THE CITY COMMISSION MEMBERS ARE ASSIGNED; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 5 of the Voting Rights Act, whereby the Justice Department must pre-clear any changes affecting voting in a covered jurisdiction, was extended in 1975 to Monroe County; and

WHEREAS, the City Commission passed resolution 02-041 in 2002 seeking to terminate coverage of Monroe County and Key West in Section 5 of the Voting Rights Act; and

WHEREAS, Monroe County and the City of Key West were recently successfully removed from the pre clearance requirements pursuant to the ruling in Shelby County v. Holder, 133 S.Ct. 2612 (U.S. June 25, 2013); and

WHEREAS, the City of Key West is currently divided into 6 single member commission Districts; and

WHEREAS, while Commission members represent those individual Districts, they are also charged with representing all the citizens of Key West; and

WHEREAS, it would be helpful if each Commission member had the benefit of the unique experiences and perspectives of individuals who reside outside their own designated Districts;

WHEREAS, a yearly rotation of the District numbers that

Commissioners represent would benefit both the Commission members and citizens of the individual Districts; and

WHEREAS such a rotation system would give Commission members a broader perspective for the benefit of the entire community; and

WHEREAS, City Attorney Shawn Smith has had extensive and ongoing discussions with Department of Justice representative D. Farios Opollay concerning the viability of a District "swap"; and

WHEREAS, removal of the pre-clearance requirement has given the City Commission a greater ability to effectuate positive change without unnecessary government oversight; and

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

Section 1: Commencing after the election of Mayor in 2014, and at the beginning of each fiscal year thereafter, each Commission member will move forward numerically from the District they currently represent. For example the District I Commissioner will assume the duties of District II and the District VI Commissioner will assume the duties in District I.

Section 2: That the City Clerk is hereby authorized to transmit a certified copy of this Resolution to the Supervisor of Elections for Monroe County as well as the office of the Governor of the State of Florida and the United States Department of Justice.

Section 3: 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 _____, 2014.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2014.

Filed with the Clerk _____, 2014.

Mayor Craig Cates _____

Vice Mayor Mark Rossi _____

Commissioner Teri Johnston _____

Commissioner Clayton Lopez _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

Commissioner Tony Yaniz _____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK