

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 1.08 OF THE KEY WEST CHARTER ORDERING AND PROVIDING FOR THE HOLDING OF A REFERENDUM ELECTION TO DETERMINE IF THE ELECTORS OF THE CITY OF KEY WEST, FLORIDA, APPROVE THE ACQUISITION OF REAL PROPERTY FROM THE MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY LOCATED AT 306 CATHERINE STREET, AND 307 LOUISA STREET IN KEY WEST (PARCEL ID 00026460 -000000 AND 00026490-0000), FOR RECREATION PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City shall follow Florida Statutes Section 100.342 concerning notice of a referendum and Florida Statutes Section 101.161 concerning preparation of the referendum ballot; and

WHEREAS, section 1.08 of the City Charter for the City of Key West is a provision requiring a voter referendum prior to the City annexing or acquiring any real property by any means, and;

WHEREAS, The City Commission desires to accept two parcels of land located at 306 Catherine Street and 307 Louisa Street in Key West to be used for recreational purposes and uses ancillary to Willie Ward Park, Nelson English Park, and

the Martin Luther King Jr. Community Pool; and

WHEREAS, the City Commission desires that the proposed referendum appear on the General Election ballot of November 5, 2024.

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

Section 1: That the question of whether the City of Key West should accept parcel ID 00026460-000000 at 306 Catherine Street in Key West FL and Parcel ID 00026490-0000 located at 307 Louisa Street in Key West from the Monroe County Comprehensive Plan Land Authority for consideration in the amount of Ten Dollars (\$10.00) each subject to any prescribed deed restrictions that the parcels are to be used solely for recreational purposes should be approved to be placed on the ballot for the November 5, 2024 general election. The 40-word question appearing on the ballot shall be worded as follows:

“Should the City of Key West accept two parcels of vacant land located at 306 Catherine St. and 307 Louisa St. from the Monroe County Land Authority for

consideration of ten dollars each to be used solely for recreational purposes?"

YES

NO

Section 2: In the event of the passage of the proposed ballot question, the City Manager is directed to accept the parcels and record the deeds and any prescribed deed restrictions consistent with this ordinance with the advice and consent of the City Attorney.

Section 3: The City Clerk is hereby authorized and instructed to take all necessary and proper action to place the referendum question set forth in Section 1, above, on the General Election ballot of November 5, 2024, and to provide notice of the referendum election as provided by law.

Section 4: 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 5: 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 6: 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.

*****REMAINDER OF PAGE LEFT INTENTIONALLY BLANK*****

Read and passed on first reading at a regular meeting held this _____ day of _____, 2024.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2024.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2024.

Filed with the Clerk _____, 2024.

Mayor Teri Johnston _____

Vice Mayor Sam Kaufman _____

Commissioner Lissette Carey _____

Commissioner Mary Lou Hoover _____

Commissioner Clayton Lopez _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

TERI JOHNSTON, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK

