

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 10 OF THE CODE OF ORDINANCES, TITLED "KEY WEST BIGHT MANAGEMENT DISTRICT BOARD" BY AMENDING SECTION 2-548 TITLED "CREATED; COMPOSITION", TO PROVIDE FOR DIRECT APPOINTMENTS; AMENDING SECTION 2-549 "COMPOSITION; APPOINTMENTS; TERMS," TO PROVIDE FOR TERMS PARALLEL WITH CITY COMMISSIONERS; REPEALING SECTION 2-555 TITLED "SUNSET"; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Key West Code of Ordinances Section 2-555, specifies that the Key West Bight Management District Board shall not be disbanded prior to the retirement or defeasance of the 1992 Key West Bight Marina Conservation Bond; and

WHEREAS, the Key Bight bonds have been retired, however the Key West Bight Management District Board continues to service a useful purpose, and the City Commission finds that amending regulations to provide for direct appointments would serve the welfare of the citizens of Key West; and

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

Section 1: That Section 2-548 of the Code of Ordinances is hereby amended as follows*:

Sec. 2-548. - Created; composition.

The city commission creates the Key West Bight Management District Board, referred to as the "board," and charges the board to use the power and authority conferred upon it by this Code to further the purposes expressed in this division. ~~The board shall consist of a seven-member board appointed by the mayor with the consent of the city commission.~~

The Key West Bight Management District Board (KWBMDB) shall consist of seven members. The mayor and each city commissioner shall appoint one member of the Key West Bight Management District Board which appointment shall not be subject to approval by the city commission. The seven members serving on the Key West Bight Management District Board upon adoption of this ordinance shall be assigned to individual city commission members via a lottery system.

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 2: That Section 2-549 of the Code of Ordinances is hereby amended as follows:

Sec. 2-549. - Composition; appointments; terms.

(a) The board shall consist of seven members who shall reside in the city or who shall have a business or profession located in the city and reside in the lower keys, south of the seven-mile bridge, ~~and who shall be appointed by vote of the city commission.~~

(b) The term of each KWBMDB member shall run parallel to that of the appointing city commission member. The KWBMDB member's term shall end at the conclusion of the city commission member's term; a reelected commission member may reappoint a KWBMDB member.

~~The mayor shall present a slate of nominees to the city commission with not less than two nor more than three nominees for each discipline to be represented. The nominee from each discipline receiving the highest number of votes shall be appointed. The City Commission shall attempt to ensure that~~ At least one person with a demonstrated interest in community service from each of the following disciplines shall be represented on the board: legal, banking, historic preservation, maritime, real estate, Chamber of Commerce. Additionally, one member of the board shall be an individual nominated by the Key West Bight Preservation

Association Inc. (KWBPA). The KWBPA shall provide a list of two nominees to the designated city commissioner, from which the commissioner shall appoint one individual to the board. Any officer or director of the KWBPA shall be excluded from consideration as a member or nominee to the board.

If no applicant is reasonably available to represent a discipline, ~~the mayor~~ the Commissioner, or Mayor, as applicable, may nominate a person from outside of the discipline.

~~(c) Appointments shall be made on a staggered basis, and each appointment shall be for a term of four years. However, appointments to replace a vacating member shall be for the unexpired term of the member.~~

(c)~~(d)~~ Any member may be removed by the city commission for cause, which shall include but not be limited to a violation of law relating to the member's office.

(d)~~(e)~~ The Key West Bight Neighborhood Association shall appoint one of its members to serve as a non-voting liaison to the KWBMDB.

Section 4: That Section 2-555 of the Code of Ordinances is hereby repealed as follows*:

~~Sec. 2-555. -- Sunset.~~

~~The Key West Bight Management District and the board created in this division shall not be disbanded or repealed prior to the retirement or defeasance of the 1992 Key West Bight Marina Conservation Bond.~~

Section 5: 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 6: 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 7: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and Clerk of the Commission.

Read and passed on first reading at a regular meeting held
this _____ day of _____, 2019.

Read and passed on final reading at a regular meeting held
this _____ day of _____, 2019.

Authenticated by the presiding officer and Clerk of the
Commission on _____ day of _____, 2019.

Filed with the Clerk _____, 2019.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK