ORDINANCE NO. 08-18

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED "ADMINISTRATION" BY ADDING SECTIONS 2-600 THROUGH 2-603 IN ORDER TO ESTABLISH "THE ~~KEY WEST REDEVELOPMENT TRUST FUND~~ BAHAMA VILLAGE REDEVELOPMENT ADVISORY COMMITTEE"; PROVIDING FOR ITS CREATION, COMPOSITION AND TERMS, MEETINGS AND DUTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission and Caroline Street Corridor And Bahama Village Community Redevelopment Agency (CRA) desire to insure an equitable distribution of redevelopment trust funds pursuant to Florida Statute section 163.387; and

WHEREAS, the City Commission recognizes that the establishment of a diverse group of individuals thoroughly familiar with the needs of the community entitled to such funds is a considerable public purpose; and

WHEREAS, the City Commission desires to establish an advisory committee that will review requests for funds, determine the most appropriate use of the resources available, and make recommendations to the City Commission and CRA; and

WHEREAS, the City Commission finds that the establishment of such a committee will serve to promote the health, safety and welfare of the citizens of Key West;

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

Section 1: That section 2-600 is hereby added to the Code of Ordinances as follows:

Sec. 2-600. The ~~Key West Redevelopment Trust Fund~~ Bahama Village Redevelopment Advisory Committee.

There is hereby established the ~~Key West Redevelopment Trust Fund~~ Bahama Village Redevelopment Advisory Committee.

Section 2: That section 2-601 is hereby added to the Code of Ordinances as follows:

Sec. 2-601. Composition; term; compensation.

(a) The committee shall be composed of seven members. Each member shall either reside within the boundary of the district entitled to receive trust funds (Bahama Village Community Redevelopment Area), or be an active member of a social, recreational, religious or similar organization located within such district. An individual not residing within the district, but otherwise qualifying for membership based upon his or her organizational participation, must provide a letter of support from the head of such group. The mayor and each city commissioner shall appoint a member to the committee, which appointment shall not be subject to approval by the city commission. The city commission shall strive to obtain broad representation among the members by appointing persons of different incomes, housing circumstances and life and work experiences.

(b) The term of the committee member shall be equal and shall run parallel to that of the appointing commission member. The committee member's term shall end at the conclusion of the commission member's term; a reelected commission member may reappoint a committee member.

(c) The members of the committee shall serve without pay.

Section 3: That section 2-602 is hereby added to the Code of Ordinances as follows:

Sec. 2-602. Organization.

(a) The committee shall be subject to the uniform procedures for advisory boards, section 2-281 through and including 2-289.

(b) The city manager shall ensure that the committee is adequately staffed.

(c) Notwithstanding the provisions section of 2-285, the committee shall meet at least on a quarterly basis and, at the committee's option, more frequently.

(d) At least once per quarter, the committee shall transmit to the city commission a written report.

Section 4: That section 2-603 is hereby added to the Code of Ordinances as follows:

Sec. 2-603. Duties.

The mission and duties of the committee are as follows:

(a) To recommend to the Caroline Street Corridor And Bahama Village Community Redevelopment Agency (CRA) projects best suited

for the use of redevelopment trust funds.

(b) To recommend to the city commission changes to the Bahama Village Redevelopment Plan and city ordinances that would promote the purposes of Florida Statute section 163.387, and those which would improve the process for reviewing requests for funding.

(c) To review applications from individuals and organizations eligible to receive TIF funds and recommend to the CRA those projects they determine by majority vote to deserve consideration by the CRA. Except in circumstances involving a justifiable emergency and those projects under taken prior to the enactment of this ordinance preference should be given to those projects with a contemplated plan of action to ensure the most appropriate and fiscally responsible use of taxpayer funds, rather than to projects seeking reimbursement.

Sec. 206.4. Sunset.

The ~~Key West Redevelopment Trust Fund~~ Bahama Village Redevelopment Advisory Committee sunsets upon expiration of Trust Fund financing.

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 the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 21 day of October, 2008.

Read and passed on final reading at a regular meeting held this 5 day of November, 2008.

Authenticated by the presiding officer and Clerk of the Commission on 6 day of November, 2008.

Filed with the Clerk November 6, 2008.

MORGAN MCPHERSON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK