

ORDINANCE NO. 09-01

AN ORDINANCE OF THE CITY OF KEY WEST,
FLORIDA, AMENDING CHAPTER 2 ENTITLED
"ADMINISTRATION" BY REPEALING ARTICLE
V, DIVISION 5 ENTITLED "PORT ADVISORY
BOARD" BY REPEALING SECTIONS 2-381, 2-
382, 2-383, 2-384, 2-385 AND 2-386;
PROVIDING FOR SEVERABILITY; PROVIDING
FOR REPEAL OF INCONSISTENT PROVISIONS;
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission is grateful to those individuals who served over the years on the Port Advisory when it was a viable entity; and

WHEREAS, the City Commission has determined that the Port Advisory Board no longer serves a useful purpose and pursuant to Code of Ordinances sections 1-8 and 1-10(f), desires to repeal the ordinances creating and implementing such Board;

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

Section 1: That Chapter 2, Article V, Division 5, sections 2-381 through 2-386 are hereby repealed in their entirety as indicated:

***Deletions to the ordinance are ~~struck through~~.

~~DIVISION 5. PORT ADVISORY BOARD*~~

~~Sec. 2 381. Established.~~

~~There is established a port advisory board. It shall advise the city commission on policies and plans that will shape the future of the city's waterfront.~~

~~Sec. 2 382. Composition; appointments; qualifications; terms of office.~~

~~The port advisory board shall consist of seven members who shall each be city residents. Appointments shall be made by the city commission with each commissioner having the option to nominate an applicant who resides in the city. Appointees shall have demonstrated maritime, marine conservation or business experience. The terms of office shall be two years and shall be staggered.~~

~~Sec. 2 383. Applicability of general provisions.~~

~~All sections of division 2 of this article are applicable to port advisory board members.~~

~~Sec. 2 384. Organization; rules of procedure; reports; meetings.~~

~~(a) Four members of the port advisory board shall constitute a quorum for the transaction of business during both regular and special meetings.~~

~~(b) The board shall adopt rules of procedure for the conduct of its meetings, which shall include Robert's Rules of Order, Newly Revised.~~

~~(c) At its inaugural meeting, the board shall establish a mission statement and goals and objectives and transmit them to the city manager.~~

~~(d) At the end of each fiscal year, the board shall submit a year end report to the city commission.~~

~~(e) The board shall convene on a regularly scheduled basis once per quarter and with greater frequency at the option of a majority of the board. Notice of such meeting shall be published in a newspaper of general circulation in the city at least five days in advance thereof. Meetings shall occur during the evening hours for the convenience of the public.~~

~~(f) Minutes shall be kept of all meetings of the board and its committees.~~

~~Sec. 2 385. Appointment and duties of executive director, clerk and counsel.~~

~~(a) The city manager shall appoint a city staff member to serve as executive director of the port advisory board. The executive director shall be responsible for preparing all board agendas, for serving as a liaison between the board and the city commission and city manager, and for performing board directed functions.~~

~~(b) The city manager shall also appoint a clerk of the board. The clerk of the board shall be responsible that all board meetings be properly noticed and that all records of the board and its meetings be maintained.~~

~~(c) The city attorney or an assistant city attorney shall serve as legal counsel to the board.~~

~~Sec. 2-386. Duties.~~

~~The port advisory board shall recommend to the city commission and the city manager plans and policies for the waterfront of the city of Key West. At its first meeting subsequent to the adoption of this ordinance, the board shall re-adopt goals and a mission statement consistent with this section. The primary duty of the board shall be to prepare a Port Master Plan consistent with the Key West Comprehensive Plan and, from time to time, to update that plan. The board shall plan for the water's edge and the water environment of Key West, and give attention to the~~

~~future of marinas, mooring fields, ferries and other maritime uses of the port of Key West. The board shall take into consideration community concerns, particularly those of the various local constituencies of the waterfront. The duties of the board shall not overlap with that of the Key West Bight management district board.~~

Section 2: 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 3: 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.

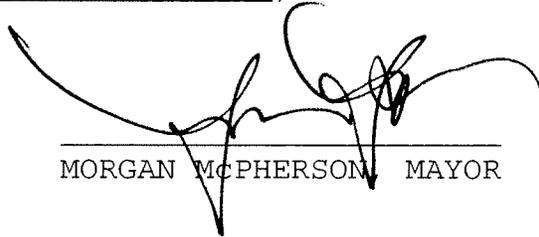
Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 2nd day of December, 2008.

Read and passed on final reading at a regular meeting held this 6th day of January, 2009.

Authenticated by the presiding officer and Clerk of the Commission on 9th day of January, 2009.

Filed with the Clerk January 9, 2009.



MORGAN McPHERSON, MAYOR

Cheryl Smith
CHERYL SMITH, CITY CLERK