

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 8.01 OF THE KEY WEST CHARTER PROPOSING THAT SECTION 6.01 OF THE KEY WEST CHARTER BE AMENDED TO INCREASE THE TERM OF MAYOR FROM TWO YEARS TO FOUR YEARS; PROPOSING THAT SECTION 6.01 OF THE KEY WEST CHARTER BE AMENDED TO ELIMINATE DEFUNCT LANGUAGE THAT ALIGNED CITY ELECTIONS WITH STATE AND FEDERAL ELECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Florida Statutes Section 166.031 and Key West Charter Section 8.01 provide the City Commission with the authority to propose by ordinance a Charter amendment, and;

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 6.01 of the City Charter for the City of Key West is a provision providing for now-defunct language that achieved the purpose of aligning city elections with state and federal elections, and;

WHEREAS, section 6.01 of the City Charter for the City of Key West also provides for a two year term for the office of Mayor, and;

WHEREAS, The City Charter and District Boundary Committee voted to make a recommendation that Section 6.01 of the city charter be amended to eliminate the now defunct electoral election year language, as well as to amend Section 6.01 to increase the term of Mayor from two years to 4 years, and;

WHEREAS, the City Commission desires that the proposed referendum appear on the Primary Election ballot of August 23, 2022.

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

Section 1: That an amendment to Key West Charter section 6.01 shall hereby be presented as a referendum to the voters of Key West. The question appearing on the ballot shall have the following title: "Referendum - Amendment to Sec. 6.01 of the city charter to eliminate defunct election year language and to increase the term of the Mayor from two years to four years." The question appearing on the ballot shall be worded as follows:

"Should Section 6.01 of the city charter
be amended to increase the term of the
Mayor from two years to four years and

should Section 6.01 be amended to delete
old language that aligned city elections
with state and federal elections?

YES

NO

Section 2: In the event of the passage of the proposed
Charter amendment set forth in section 1, above, Section 6.01
of the Key West Charter shall be amended as follows:

Sec. 6.01 City Commission Election; Runoff

~~The election for city~~ City commissioners in districts I, III
and VI ~~shall be held~~ elected on the State of Florida primary
election date in 2013 for a three-year term, and beginning in
2016 shall serve a four-year term. ~~The election for city~~ City
commissioners in districts II, IV, and V, ~~shall be held~~
elected on the State of Florida

primary election date in ~~2015 for a three-year term, and~~
~~beginning in~~ 2018 shall serve a four-year term. The mayor is,
chosen by voters ~~city-wide~~ citywide and shall be

*(Coding: Added language is underlined; deleted language is
~~struck through~~.)

elected for a ~~one-year~~ four year term ~~on~~ beginning with the State of Florida primary election date in ~~2013~~ 2024. ~~, and beginning in 2014 shall serve a two-year term.~~ Elections shall be held biennially in accordance with the State of Florida primary election date thereafter. The name of any qualified elector of the city shall appear on the ballot as a candidate for the office of city commissioner upon said elector paying as a qualifying fee to the city a sum equal to five (5) percent of the annual salary of the office which said elector seeks, or by the elector qualifying by a petition process prescribed by State law and adopted in specific terms by city ordinance. The candidate qualifying and reporting periods shall be run in conjunction with the state schedule. A majority of votes cast in a particular district is required for a candidate to be elected. If no candidate receives such a majority, then a runoff election shall be held on the State of Florida General Election date following the first election between the two (2) candidates receiving the greatest number of votes. All ties in either election shall be decided by lot in the presence of the candidates concerned, under the direction of the city commission.

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 Primary Election ballot of August 23, 2022, 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.

Read and passed on first reading at a regular meeting
held this _____ day of _____, 2022.

Read and passed on final reading at a regular meeting
held this _____ day of _____, 2022.

Authenticated by the presiding officer and Clerk of
the Commission on _____ day of _____, 2022.

Filed with the Clerk _____, 2022.

Mayor Teri Johnston _____

Vice Mayor Sam Kaufman _____

Commissioner Gregory Davila _____

Commissioner Mary Lou Hoover _____

Commissioner Clayton Lopez _____

Commissioner Billy Wardlow _____

Commissioner Jimmy Weekley _____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK