

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF KEY WEST, FLORIDA, PROVIDING
DIRECTION CONCERNING A PURPORTED CONTRACT
BETWEEN THE CITY AND E. DAVID FERNANDEZ;
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, at its June 17, 2014 City Commission meeting, members of the Commission questioned City Manager Bogdan Vitas concerning a contract executed between him and retiring assistant city manager E. David Fernandez that did not receive required legal review; and

WHEREAS, the majority of the Commission questioned the validity of the agreement and asked the City Attorney to review; and

WHEREAS, the City Attorney issued his opinion and answered questions from the City Commission at a special meeting held on Monday June 30, 2014; and

WHEREAS, it is the opinion of the City Attorney that the City Manager's execution of the agreement was without authority under the circumstances; and

WHEREAS, additionally, it is the opinion of the City Attorney that the contract, which also contains provisions that violate state law, is void.

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

Section 1: That Commission desires the City Attorney and City Manager to take all permissible action to achieve the direction given at the special meeting.

Section 2: That this Resolution 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.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2014.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2014.

Filed with the Clerk _____, 2014.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK