

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 2, ARTICLE III ENTITLED "OFFICERS AND EMPLOYEES", BY CREATING DIVISION 3 OF THE CODE OF ORDINANCES, ENTITLED "CITY ATTORNEY"; ADDING SECTION 2-202, ENTITLED "CITY ATTORNEY SELECTION PROCESS" TO SPECIFY A PROCESS BY WHICH THE CITY COMMISSION SELECTS A NEW CITY ATTORNEY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City Charter article 4.06 provides "The city attorney shall be appointed by, and shall serve at the pleasure of, the city commission."; and

WHEREAS, the City Commission finds that it is necessary to create a process to supplement the Charter to guide the City Commission in the selection of the City Attorney; and

WHEREAS, the enactment of a new section 2-202 of the Code of Ordinances will promote the health, safety and welfare of the citizens and visitors of the City of Key West.

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

Section 1: That Division 3, Section 2-202 of the
Code of Ordinances entitled "City Attorney Selection
Process" is hereby created as follows*:

Division 3. City Attorney

Sec. 2-202. - City Attorney Selection Process.

(a) Any contract between the City and its City
Attorney shall include a minimum of 6 months' notice of
non-renewal, resignation or retirement in order to allow
for sufficient planning purposes.

(b) Within a maximum of one month after the receipt of
such notice and determination of the need for the hiring of
a new City Attorney, the City Commission by resolution
shall:

1. Revise, if necessary, the job description and
minimum qualifications for the City Attorney;
2. Approve an application form and required
submittals for the City Attorney position;

*(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.)

3. Establish area of search for potential candidates;
4. Establish timelines for
 - (A) advertising position;
 - (B) receipt of applications;
 - (C) conducting interviews;
 - (D) selection of City Attorney;
 - (E) execution of contract; and
 - (F) any other matters determined necessary to select the most qualified and capable individual to hold the position of Key West City Attorney.

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 _____ 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	_____
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