

ORDINANCE NO. 23-33

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE V, DIVISION 2, ENTITLED "UNIFORM PROVISIONS FOR ADVISORY BOARD" SECTION 2-282, TO AMEND CERTAIN REQUIREMENTS FOR MEMBERSHIP APPOINTMENT AND TENURE; AMENDING SECTION 2-283 TO REQUIRE ANNUAL ELECTIONS FOR CHAIRPERSON AND VICE-CHAIRPERSON; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 2-282 of the Code of Ordinances (part of the 'Uniform Procedures for Advisory Boards') currently provides that all advisory board members serve at the pleasure of the city commission and may be removed by majority vote of its full membership; and

WHEREAS, the City Commission finds that in the case of advisory boards where members are directly appointed, it is reasonable to allow the Commissioner that appointed an advisory board member to remove them without a vote of the full city commission; and

WHEREAS, Section 2-283 of the Code of Ordinances currently does not mandate that advisory boards conduct annual elections for a chairperson and a Vice-Chairperson and the City Commission finds that requiring annual elections

will promote healthy debate among advisory boards and is in the best interest of the City of Key West to promote good governance.

WHEREAS, the City Commission finds that an amendment to section 2-282, to adjust the appointment and tenure provisions, would promote the health 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 Chapter 2, Article V, Division 2, Section 2-282 of the Code of Ordinances is hereby amended as follows*:

Sec. 2-282. - Appointment; tenure.

All persons who desire to serve on an advisory board shall be city residents, except as provided in section 46-62, of this Code or as otherwise provided by law. All such persons shall submit a resume to the city commission as part of their application. All directly appointed advisory board members

*(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.)

serve at the pleasure of their appointing city commissioner.
~~The city commission and may be removed~~ an advisory board
member, whether directly appointed or appointed by the vote
of the commission, by majority vote of its full membership,
~~notwithstanding that they were appointed for a specific term.~~
No member derives any property rights in ~~his~~ their appointed
position.

Section 2: That Chapter 2, Article V, Division 2,
Section 2-284 of the Code of Ordinances is hereby amended
as follows*:

Sec. 2-283. - Officers.

From among its members the advisory board shall elect a
eChairperson and a Vice-Chairperson annually ~~and such other~~
~~officers as it deems necessary.~~

Section 3: 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 4: 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 5: 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 12th day of October, 2023.

Read and passed on final reading at a regular meeting held this 12th day of October, 2023.

Authenticated by the presiding officer and Clerk of the Commission on 16th day of October, 2023.

Filed with the Clerk October 16, 2023.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Absent</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

TERI JOHNSTON, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK