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THE CITY OF KEY WEST

1300 WHITE STREET
KEY WEST, FLORIDA 33040

To: The City Commission for the City of Key West
From: Ronald J. Ramsingh, City Attorney
Meeting Date: September 14, 2023
Agenda Item: Adoption of a new anti-lobbying ordinance by former city officers or Employees ***Second Reading***
Sponsor: Albert Childress, City Manager

Action Statement:

The proposed ordinance seeks to add a regulation prohibiting ~~former~~ city officers or employees from lobbying the City Commission or any of its boards on behalf of others for a period of two years following separation of employment. This new regulation also prohibits lobbying of current department heads or employees on behalf of others by ~~former~~ city officers and employees for a period of two years. During the first reading, Commissioner Kaufman introduced a proposal to define *city officers and employees* as those hired after the effective date to limit exposure to a claim of interference of contracts and to exclude city board members.

Background:

Florida Statute 112.313(13) permits a city to enact a regulation to prohibit former city officers and employees from lobbying before the city for a period of two years after separation of employment. Further, Florida Statute 112.326 permits a city to make such regulation more stringent than what is provided for in Florida Statute. Monroe County has had this regulation since the 1990s and this ordinance is modeled after that regulation.

Options:

1. To pass the ordinance to prohibit ~~former~~ city officers and employees from lobbying any city board, department or employee on behalf of another for a period of two years following separation.
2. To deny the ordinance prohibiting ~~former~~ city officers and employees from lobbying any city board, department or employee on behalf of another for a period of two years following separation. Any such practice will be permitted to continue.

Recommendation:

To avoid the appearance of impropriety, the City Attorney does not make a recommendation on this item since he can be affected by the outcome of the vote.