

ORDINANCE NO. 25-11

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 8.01 OF THE KEY WEST CHARTER PROPOSING THAT SECTION 3.01(A) OF THE KEY WEST CHARTER BE AMENDED TO CHANGE THE TERM OF MAYOR FROM TWO YEARS TO FOUR YEARS; PROPOSING THAT SECTION 3.01(B) OF THE KEY WEST CHARTER BE AMENDED TO AMEND THE TERM LIMITS FOR FUTURE MAYORS OF THE CITY COMMISSION; 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 3.01(a) of the City Charter for the City of Key West is a provision limiting the term of Mayor to two years, and;

WHEREAS, section 3.01(b) of the City Charter for the City of Key West is a provision limiting the service of Mayor to eight years, and;

WHEREAS, The City Charter and District Boundary Committee voted in 2022 to make a recommendation that Section 3.01 of the city charter be amended increase the term of mayor from two years to four years and to eliminate the term limits in Sec. 3.01(b) as it applies to future members of the City Commission, and;

WHEREAS, according to the Florida League of Cities, a survey was conducted in 2006 that showed that the majority of Florida cities have a term of 4 years for Mayor, and;

WHEREAS, the City Commission desires that the proposed referendum appear on the special election ballot of November 4, 2025.

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

Section 1: That an amendment to Key West Charter section 3.01(a) 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 - Amending Sec. 3.01 of the city charter to increase the term of Mayor from

two years to four years in 2026 and to increase the limit of service to twelve years for future Mayors of the City of Key West." The question appearing on the ballot shall be worded as follows:

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

YES

NO

Section 2: That an amendment to Key West Charter section 3.01(b) 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 - Amending Sec. 3.01(b) of the city charter to increase the limit of service from eight years to twelve years for future Mayors of the City of Key West." The question appearing on the ballot shall be worded as follows:

"Should the city charter be amended to increase the limit of service for Mayor from eight years to twelve years?"

YES

NO

Section 3: In the event of the passage of the proposed Charter amendment set forth in sections 1&2, above, Section 3.01 of the Key West Charter shall be amended as follows:

Sec. 3.01 City Commission and Mayor; Election, Term; Term Limits

- (a) There shall be a city commission with all legislative powers of the city vested therein. The city commission shall consist of seven (7) commissioners, six (6) of whom shall be elected from single member districts numbered I, II, III, IV, V and VI. The mayor shall be

*(Coding: Added language is underlined; deleted language is ~~struck through~~ for first reading. Added language is double underlined; deleted language is ~~double struck through~~ for second reading.

elected by the people at large for a term of ~~two (2)~~ four (4) years. Commissioners from districts numbered I, II, III, IV, V and VI shall be elected for a term of four (4) years.

(b) ~~No person~~ The currently serving mayor, as of December 30, 2026 shall serve no more than a total of ~~eight~~ twelve years in the position of mayor. No person shall serve more than a total of twelve years in the position of city commissioner. No previous term, or term in progress as of the effective date of this provision, shall be counted toward the limitations contained herein. If the term limit occurs during a term in office, the person holding the office may complete the term.

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~~ Special Election ballot of ~~August 23, 2022~~ November 4, 2025, 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.

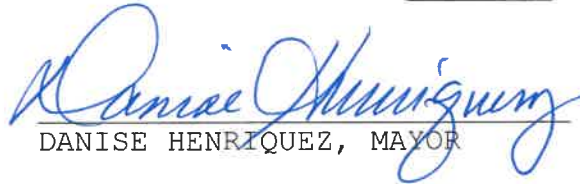
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Passed and adopted by the City Commission at a meeting held this 1st day of April, 2025.

Authenticated by the Presiding Officer and Clerk of the Commission on this 2nd day of April, 2025.

Filed with the Clerk on April 2, 2025.

Mayor Danise Henriquez	<u>Yes</u>
Vice Mayor Lissette Carey	<u>Yes</u>
Commissioner Aaron Castillo	<u>Yes</u>
Commissioner Monica Haskell	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Sam Kaufman	<u>No</u>
Commissioner Donald "Donie" Lee	<u>Yes</u>


DANISE HENRIQUEZ, MAYOR

ATTEST:


KERI O'BRIEN, CITY CLERK



MEMORANDUM

Date: March 4, 2025

To: Mayor and City Commissioners

From: Ron Ramsingh
City Attorney

Subject: Ordinance to Place 2 Questions on the Ballot of a 2025 Special Election to Increase the Mayoral Term to 4 years and Increase Service from 8 to 12 years.

Sponsor: Mayor Henriquez

Introduction

Sec. 3.01 of the City Charter mandates that the Mayor shall serve 2 year terms and have a maximum amount of service of 8 years. Mayor Henriquez has requested an ordinance be considered to place 2 questions on a ballot in 2025 for the voters to consider increasing the term to 4 years and to increase the years of service to 12 years. This will bring the Mayor in line with terms and term limits on par with the 6 city commissioners.

Background

According to a survey conducted by the Florida League of Cities, most cities in Florida (45%) have a Mayoral term of 4 years. In 2022, the City of Key West's Charter Review Committee recommended that the City Commission consider and pass a similar measure, however that ordinance did not pass 1st reading. That measure in 2022 however, called for an elimination of all term limits. This proposal seeks to keep the term limits and increase the limit for Mayor to the same length of service to that of City Commissioners; 12 years.

Options:

1. Pass the proposed ordinance, there will be a special election on November 4, 2025 to decide if the next Mayoral election in 2026 will be for a 4-year term; 12-year limit
2. Deny the proposed ordinance. The current term and limit for Mayor will remain the same; 2-year terms and 8 years total.

Term Lengths

According to a 2006 survey of municipal governments by International City/County Management Association (ICMA), the most common mayoral term length is four years. The table below indicates the percentage of cities that apply different term lengths for the position of mayor.

Length Of Term	Percentage Reporting
1 year	14%
2 years	35%
3 years	6%
4 years	45%
Other	1%

Term Limits

Although voters nationwide imposed new term limits for state legislatures in the 1990s, only 9 percent of the cities surveyed limit the mayor's term. Of the cities that impose limits, most (55 percent) limit the mayor to two terms, 30 percent set the maximum to three terms, and 9 percent allow four terms. Larger cities are most likely to impose term limits. Where term limits are imposed, 54 percent impose a two-term limit, and 28 percent impose a three-term limit. Some cities do not limit the number of total terms that may be served, but rather place a limit on successive terms. These limits can vary within a state – two-thirds of these cities mandate limits by [city charters](#) or ordinances – or can be set by state law.

Pros and Cons of Term Limits

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the democratic process, as citizens are restricted from selecting a candidate they may see as the most qualified for the position.

Source

Moulder, Evelina. "Municipal Form of Government: Trends in Structure, Responsibility, and Composition." In *The Municipal Year Book, 2008*. Washington, DC: International City/County Management Association, 2008.