ORDINANCE NO._____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 8.01 OF THE KEY WEST CHARTER, AMENDING ORDINANCE NO. 25-11 CHANGING THE ELECTION DATE FOR THE PROPOSED AMENDMENTS TO SEC. 3.01(a)and (b) OF THE CITY CHARTER TO BE PLACED FOR REFERENDUM ON THE NOVEMBER 3, 2026 GENERAL ELECTION BALLOT; CLARIFYING THE PROPOSED AMENDING LANGUAGE IN SECTION 3.01(a) CHANGING THE TERM OF FUTURE MAYORS FROM TWO (2) YEARS TO FOUR (4) YEARS; CLARIFYING THE PROPOSED AMENDING LANGUAGE IN SECTION 3.01(b) CHANGING THE TERM LIMITS FOR FUTURE MAYORS FROM EIGHT (8) TO TWELVE (12) YEARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.031, Florida Statutes and Section 8.01 of the Charter of the City of Key West, Florida provides the City Commission with the authority to propose, by ordinance, a Charter amendment; and

WHEREAS, the City shall follow Section 100.342, Florida Statutes concerning notice of a referendum and Section 101.161, Florida Statutes concerning preparation of the referendum ballot; and

WHEREAS, Section 3.01(a) of the City Charter for the City of Key West has a provision limiting the term of Mayor to two years; and

WHERAS, Section 3.01(b) of the City Charter of the City of Key West has a provision limiting the service of Mayor to eight years; and

WHERAS, on April 2, 2025 the City Commission adopted Ordinance No. 25-11 to amend Sections 3.01(a)and(b) of the City Charter of the City of Key West, Florida as follows:

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 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 more than a total of ~~eight~~ twelve (12) 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.

WHEREAS, Ordinance No. 25-11 further directed the Clerk to present these amendments to the City Charter to the voters of Key West, Florida on the Special Election ballot of November 4, 2025, pursuant to Sec. 101.161, Florida Statutes; and

WHEREAS, the City Commission desires to amend the election date for the proposed referendum from the special election ballot on November 4, 2025, to the general election ballot of November 3, 2026; and

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

Section 1: That an amendment to Section 3.01(a) of the Charter of the City of Key West, Florida shall hereby be presented as a referendum to the voters of the City of Key West. The question appearing on the ballot shall have the following title:

"Referendum – Amending Sec.3.01(a) 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 Section 3.01(b) of the Charter of the City of Key West, Florida shall hereby be presented as a referendum to the voters of the City 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 amendments set forth in Sections 1. and 2. above, Section 3.01 of the City Charter of the City of Key West, Florida shall be amended as follows:

Sec. 3.01 City Commission and Mayor; Election, 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 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, 2028~~6~~ shall serve no more than a total of ~~eight~~ twelve (12) 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 ~~Special Election ballot of November 4, 2025~~ General Election ballot of November 3, 2026, 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.

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

Authenticated by the Presiding Officer and Clerk of the Commission on _____day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Teri Danise Henriquez	_____
Vice Mayor Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Donald “Donie” Lee	_____

_____
DANISE HENRIQUEZ, MAYOR

ATTEST:

_____
KERI O’BRIEN, CITY CLERK