

**ORDINANCE NO. 2024-494**

**AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII, SECTIONS 2-86 AND 2-88 OF THE CODE OF ORDINANCES OF THE CITY OF KEY COLONY BEACH RELATED TO MEETINGS OF THE CITY COMMISSION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY, REPEAL, AND CODIFICATION; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Key Colony Beach, Florida (the “City”), is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Chapter 166, Florida Statutes, grants the City broad municipal home rule powers to enact ordinances which represent official legislative action of the City Commission and are enforceable as a matter of law; and

**WHEREAS**, the City Commission of the City of Key Colony Beach (the “City Commission”) wishes to amend Chapter 2, Article VII, Secs. 2-86 and 2-88 of the City’s Code of Ordinances (the “Code”) of in order to promote efficiency and costs savings with regard to conducting official business of the City; and

**WHEREAS**, The City Commission seeks to add a Consent Agenda apart from Discussion Action Items into its regular City Commission Meetings and provide further clarification to the order of business; and

**WHEREAS**, the new order of business in Sec 2-88 reflects the current order of business that promotes efficiency in regular City Commission Meetings; and

**WHEREAS**, the consent agenda expedites meetings, matters of business of a repetitive and/or routine nature (including, but not limited to, Resolutions, fund transfers, grants, appointments, bid awards, contract approvals, etc.) may be included in the Consent Agenda, and all such matters of business contained in the Consent Agenda shall be voted on collectively; and

**WHEREAS**, the City Commission of the City of Key Colony Beach finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:**

**Section 1: Recitals**

The above recitals are true and correct and are hereby incorporated by reference.

## **Section 2: Effective Date**

This Ordinance shall become effective upon approval and adoption by the City Commission.

## **Section 3: Amendment**

*Chapter 2, Article VII* of the City of Key Colony Beach Code of Ordinances shall be amended to read as follows:

### Sec. 2-86. – Agenda.

The Mayor with the advice of the City Clerk and Commissioners, shall prepare an agenda of subjects to be acted on for each meeting. The agenda shall be made available to the Commissioners by the Friday immediately prior to any regular commission meeting or four (4) days before any special or emergency meeting, time permitting. The order of the agenda may be changed during a meeting by a majority vote of the City Commission. A new subject that requires urgent attention may be added to the agenda during a meeting by a majority vote of the City Commission. Agendas will include a consent agenda, defined in Florida Statute 332.0075 as an agenda which consists of items voted on as a group and which does not provide the opportunity for public comment on each such item before approval or disapproval by the governing body. Commissioners can remove agenda items from the Consent Agenda to the regular agenda.

....

### Sec. 2-88. – Order of business.

All regular meetings of the City Commission should follow an established order of business. The order is as follows:

- ~~(1) — Call to order~~
- ~~(2) — Correspondence and citizen comments.~~
- ~~(3) — Minutes.~~
- ~~(4) — Reports from committees and departments.~~
- ~~(5) — Items of discussion/approval~~
- ~~(6) — City administrator items for discussion.~~
- ~~(7) — City Attorney's report.~~
- ~~(8) — Ordinances and resolutions.~~
- ~~(9) — Commissioner's reports and comments.~~
- ~~(10) — Adjournment.~~

- (1) Call to Order, Pledge of Allegiance, Prayer, & Roll Call
- (2) Special Requests
- (3) Citizen Comments and Correspondence
- (4) Committee and Department Reports
- (5) Consent Action Items

- (6) Discussion Action Items
- (7) Ordinances/Resolutions
- (8) Secretary-Treasurer's Report
- (9) City Attorney's Report
- (10) Commissioner Reports & Comments
- (11) Citizen Comments
- (12) Adjournment

....

#### **Section 4: Severability and Conflict**

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

#### **Section 5: Inclusion in the Code of Ordinances of Key Colony Beach, Florida**

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

**FIRST READING** by the City of Key Colony Beach City Commission this 19th day of September 2024.

Mayor Joey Raspe	NO_____YES_____
Vice Mayor Freddie Foster	NO_____YES_____
Commissioner Tom Harding	NO_____YES_____
Commissioner Tom DiFransico	NO_____YES_____
Commissioner Doug Colonell	NO _____YES_____

**SECOND READING AND DULY ADOPTED** by the City of Key Colony Beach City Commission on this 17th day of October 2024.

Mayor Joey Raspe	NO_____YES_____
Vice Mayor Freddie Foster	NO_____YES_____
Commissioner Tom Harding	NO_____YES_____
Commissioner Tom DiFransico	NO_____YES_____
Commissioner Doug Colonell	NO _____YES_____

**[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE TO FOLLOW]**

**DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY  
COLONY BEACH, FLORIDA**, this 17th day of October 2024.

---

Joey Raspe, Mayor

---

Silvia Roussin, City Clerk

*Approved as to form and legal sufficiency:*

---

Dirk M. Smits, Esq., B.C.S., City Attorney