



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

January 21, 2025

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is a copy of Ordinance No. 001-2025 of the Board of County Commissioners (BOCC) of Monroe County, Florida, amending Section 23-199 Monroe County Tourist Development Council (TDC) of the Monroe County Code, to revise provisions to clarify that members of the TDC serve at the pleasure of the BOCC and may be removed by affirmative vote of the BOCC; providing for severability; providing for the repeal of all Ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on January 15, 2025. Should you have any questions please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners
by: Liz Yongue, Deputy Clerk

cc: County Administrator
County Attorney
MuniCode
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040

MARATHON
3117 Overseas Highway
Marathon, Florida 33050

PLANTATION KEY
88770 Overseas Highway
Plantation Key, Florida 33070

ORDINANCE NO. 001 -2025

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS (BOCC) OF MONROE COUNTY, FLORIDA, AMENDING SECTION 23-199 MONROE COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) OF THE MONROE COUNTY CODE, TO REVISE PROVISIONS TO CLARIFY THAT MEMBERS OF THE TDC SERVE AT THE PLEASURE OF THE BOCC AND MAY BE REMOVED BY AFFIRMATIVE VOTE OF THE BOCC; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners (BOCC) at its April 17, 2024 meeting was presented with an overview of the Tourist Development Council (TDC); and

WHEREAS, the BOCC directed staff to revise the Monroe County Code Sec. 23-199-Monroe County Tourist Development Council to add language to clarify that the members of the TDC serve at the pleasure of the BOCC; and

WHEREAS, Section 23-199 is being revised, upon that direction, to add language that TDC members serve at the pleasure of the BOCC and are removed upon affirmative vote of at least 3 members of the BOCC similar to other County's advisory boards, like the Planning Commission;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

SECTION 1: Section 23-199(b)- Monroe County Tourist Development Council shall be amended to read as follows (Note: ADDED LANGUAGE IS NOTED IN UNDERLINED TEXT AND DELETED LANGUAGE IS NOTED IN ~~STRIKETHROUGH TEXT~~):

(b) The membership of the tourist development council shall be in accordance with the following provisions:

- (1) The Monroe County Tourist Development Council, following the expiration of terms of its members heretofore established and appointed, shall be composed of nine members. Eight members of the board shall be appointed by the governing board of Monroe County based on a percentage of the funds collected throughout the five tax collection districts, as set forth in subsection (g) of this section. Each tax collection district shall have no less than one representative on the council. The ninth member of the council shall be the chairman of the governing board of Monroe County or any other member of the governing board as designated by the chairman. Two members of the council shall be elected municipal officials, at least one of whom shall be from the most populous municipality in the county. Six members of the council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist

development, of which members, not less than three nor more than four shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county or subject to the tax. Each of the six members of the council who are involved in the tourist industry shall represent a tax collection district in which is located the business or businesses that qualify the individual as a lodging or tourist-related industry representative. All members of the council shall be electors of the county. The governing board of the county shall allow the council to elect a chairman. The chairman shall be elected annually and may be reelected.

- (2) The members of the council shall serve for staggered terms of four years. Members of the council serve at the pleasure of the Board of County Commissioners (BOCC). Removal shall be approved by affirmative vote of at least three members of the BOCC. The council shall meet at least once each quarter and, from time to time, shall make recommendations to the county governing board for the effective operation of the special projects or for uses of the tourist development tax revenue and perform such other duties as may be prescribed by county ordinance or resolution.
- (3) All district vacancies occurring on the tourist development council shall be filled by a person who is also qualified under the terms of F.S. § 125.0104(4)(e). In addition to the vacancies described in subsection (b)(4) of this section, a seat shall also be considered vacant when a member is no longer an owner, operator, partner, employee or director of a lodging or tourist-related business in that district or when a member of the council is removed by affirmative vote of at least three members of the BOCC.
- (4) Any member of the tourist development council who absents himself from any three consecutive regular meetings of said tourist development council, unless excused from such attendance by consent of the council, expressed by action of record in its official minutes, or who is absent from a total of four regular meetings of said council in any fiscal year without having been excused from such attendance by consent of the council expressed by action of record in its official minutes, shall thereby automatically forfeit his position and office as a member of the tourist development council; and the name of such person shall be automatically removed from the membership of said council immediately after the adjournment of any such third consecutive meeting or any such fourth meeting in any fiscal year, as the case may be, at which such member has not appeared. The council shall thereupon promptly notify the member so removed, and the governing board of Monroe County shall thereupon appoint a new member to serve the remainder of the unexpired term of the member so removed.

SECTION 2: SEVERABILITY. If any portion of this ordinance is for any reason held invalid or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

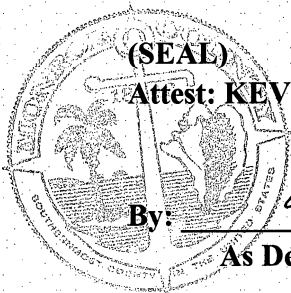
SECTION 3: CONFLICT WITH OTHER ORDINANCES. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

SECTION 4: INCLUSION IN CODE OF ORDINANCES. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 5: TRANSMITTAL AND EFFECTIVE DATE. This Ordinance shall be filed with the Department of State and shall be effective as provided in section 125.66(2), Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 15th day of January 2025.

Mayor James K. Scholl, District 3	<u>Yes</u>
Mayor Pro Tem Michelle Lincoln, District 2	<u>Yes</u>
Commissioner Craig Cates, District 1	<u>Yes</u>
Commissioner David Rice, District 4	<u>Yes</u>
Commissioner Holly Merrill Raschein, District 5	<u>Yes</u>



(SEAL)
Attest: KEVIN MADOK, Clerk

By: _____

As Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: _____

James K. Scholl
Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Christine Limbert-Barrows
CHRISTINE LIMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY
DATE: 12/10/24

CLK: CLK: C1
MONROE COUNTY, FLA

2025 JAN 21 PM 3:49

FILED FOR RECORD

KEYS CITIZEN

KeysNews.com
Many Islands One Voice

The Florida Keys Only Daily Newspaper, Est. 1876

PO Box 1800, Key West FL 33041
P: (941) 206-1025 F: (305) 294-0768
legals@keysnews.com

MONROE CO TOURIST DEVELOPMENT COUNCIL

1201 WHITE ST # 102
KEY WEST FL 33040-3328

Account: 419561

Ticket: 3947018

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared

_____Amber Douglas_____, who on oath says that he or she is

The legal advertising representative of the Key West Citizen, a five day newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of NOI 01.15 was published in said newspaper in the issues of:

Saturday, December 28, 2024

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida Tuesday thru Saturday weekly, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



(Signature of Affiant)

Affirmed and subscribed before me this 30th day of December 2024



(Notary Public Signature)

_____Jill Kelli Di Benedetto_____
(Notary Public Printed Name)

My commission expires _____8/19/2027_____

Personally Known X Produced Identification _____

Type of Identification Produced _____ (Notary Seal) _____



NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on January 15, 2025, at 9:00 A.M. or as soon thereafter as the matter may be heard, at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider adopting the following ordinance:

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS (BOCC) OF MONROE COUNTY, FLORIDA, AMENDING SECTION 23-199 MONROE COUNTY TOURIST DEVELOPMENT COUNCIL (TDC) OF THE MONROE COUNTY CODE, TO REVISE PROVISIONS TO CLARIFY THAT MEMBERS OF THE TDC SERVE AT THE PLEASURE OF THE BOCC AND MAY BE REMOVED BY AFFIRMATIVE VOTE OF THE BOCC; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Monroe County website by viewing the agenda packet for the January 15, 2025, meeting, which will be posted beginning on January 10, 2025 at: <http://monroecountyfl.iqm2.com/citizens/default.aspx>. The ordinance may also be viewed at the Monroe County Attorney's office at 1111 12th St. Ste. 408 Key West, FL 33040.

The public can participate in the January 15, 2025, meeting of the Board of County Commissioners of Monroe County, FL by attending in person or via Zoom. The Zoom link can be found in the agenda at <http://monroecountyfl.iqm2.com/citizens/default.aspx>.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30a.m.—5:00p.m., prior to the scheduled meeting; if you are hearing or voice-impaired, call "711". Live Closed-Captioning is available via our web portal @ <http://monroecountyfl.iqm2.com/Citizens/Default.aspx> for meetings of the Monroe County Board of County Commissioners.

Dated at Key West, Florida, this 27th day of December, 2024.
(SEAL) KEVIN MADOK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Monroe County, Florida
12/28/24 - KWC
419561 3947018

KEYS CITIZEN

Deadline for KWC Classifieds:
DAILY at 10 a.m.
CALL 305-292-7777 ext. 710210
MON. - FRI. until 4 p.m.

NOTICE TO ADVERTISERS
In case of error, please check you as the first copy is supplied.
In the event of an error, an expression for the first
renewal insertion of an ad, The Citizen does not assume
responsibility for any reason beyond the cost of the ad.

CANCELLATIONS
All work is subject to change without notice.
No rescheduling days, cancellations, or any other
policy can be changed without the publisher's
written consent. All work is subject to change without
notice.

NOTICE TO CONTRACTORS
Monroe County requires that Contractors that advertise that
indicate their service and certificate of competency with the
Monroe County Building Department at 605-282-2554.

Business Rentals

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